

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

SEPTEMBER 18, 1998

(Published September 26, 1998,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

September 18, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Campbell,
Biernat, Niland, Goodman, Colvin Roy, Herron,
Mead, Minn, McDonald, Johnson, Ostrow,
Thurber, President Cherryhomes.

Campbell moved acceptance of the
minutes of the regular meeting of August 28,
1998. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers
to proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

ATTORNEY (264104)

Mann Theater (708 Hennepin Av): Update
on progress of condemnation & other actions.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264105)

Lot Divisions: North one-third of 1710-26th
Ave N; 1842 Polk St NE.

Sears Site: Appropriation increase to
complete asbestos cleanup.

Allina Health System (28th & Chicago Ave
S): Resolution giving final approval to issue
bonds jointly w/City of St Paul Housing &
Redevelopment Authority for various locations
including Abbott Northwestern Hospital.

CDBG Lead Abatement Funds:

Reallocation of \$200,000 to fulfill match
requirements of City's Round IV Lead Hazard
Reduction.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264106)

Nicollet Plaza Development District #56:
Amendment to Development Plan & Program
to reduce amount of gross square footage of
development at 6th & Nicollet Mall & allow
plaza.

River Station II (401 - 1st St N): Authorize
preparation of redevelopment contract w/Hunt
Gregory & creation of Tax Increment District.

MN Department of Trade & Economic
Development: Approval to submit application
for grant funds to support STA Chicago-Lake
Redevelopment Project & Penn Lowry
Redevelopment Project.

COORDINATOR (264107)

MN Youth Enrichment Grant Funding:
Endorse & support the lead public entity in
submission of applications for funding projects.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (264108)

Seward Neighborhood: Approve use of
Hennepin County's "second 7.5%" NRP funds
for Youth Outreach Worker, the Longfellow/
Seward Health Seniors Program & Parents of
East Africa's Common Effort Program.

Whittier Neighborhood: Approve use of
Hennepin County's "second 7.5%" NRP funds
for arts curriculum coordinator position for
Whittier Community School for the Arts.

Calhoun Area Residents Action Group
Neighborhood: Approve "early access" of NRP
funds for improvements at Lyndale School
playground.

Victory Neighborhood: Approve "early access" of NRP funds for Home Improvement Loan Program, stop sign installation & Camden Develops Inc Program.

East Calhoun Community Organization
NRP: Approve Action Plan.

**COMMUNITY DEVELOPMENT and ZONING
AND PLANNING (See Rep):**
PLANNING COMMISSION/DEPARTMENT
(264109)

Milwaukee Road Depot & Mills District
Area of Downtown: Development Objectives.

**PUBLIC SAFETY AND REGULATORY
SERVICES:**
LICENSES AND CONSUMER SERVICES
(264110)

Lead Based Paint Hazard Reduction
Project: Report back on questions relating to
safe housing for families displaced by lead
hazard reduction activities, to be provided by
Leonard Babinski.

POLICE DEPARTMENT (264111)
State of the Precincts: Fourth Precinct
Report.

National Night Out: Event Summary for
August 4, 1998.

**PUBLIC SAFETY AND REGULATORY
SERVICES (See Rep):**
HEALTH AND FAMILY SUPPORT
SERVICES (264112)

SHAPE Report: Execute contract with
Hennepin County for payment of City's share
of costs for production and printing costs.

INSPECTIONS DEPARTMENT (264113)
Raze Buildings: Approve owner requests
to raze 3445 1st Av S; and 2926 Aldrich Av N.

LICENSES AND CONSUMER SERVICES
(264114)

Scrapyards: Ordinance amending Title 13,
Chapter 350 of Code to adjust license fee,
clarify scope, add prohibited acts, and add
section to address remedies available for
violations, including administrative fines;
w/attachment.

Licenses: Applications; w/objection re 5-8
Club application.

POLICE DEPARTMENT (264114.1)
United States Department of Justice,
Bureau of Justice Assistance, Local Law
Enforcement Block Grant: Submit details of
public hearing to federal government.

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/
BUDGET (See Rep):**
FIRE DEPARTMENT (264115)
North Campus Fire Training Facility:
Authorize entering into contracts with outside
agencies for lease of training facility.
1999 Firefighter Staffing/Hireback Policy:
Request to implement bell curve staffing.
HEALTH AND FAMILY SUPPORT
SERVICES (264116)
MinnesotaCare Outreach Grants Program:
Rescind 6/12/98 Council action accepting grant
from State of Minnesota and Resolution
98R-200 appropriating grant funds, as staff not
able to meet State deadlines for execution of
grant agreement.

TRANSPORTATION AND PUBLIC WORKS:
CITY CLERK (264117)
Application for Critical Parking Area:
Receive application for Upton Av S from 2001
to 2021.

PUBLIC WORKS AND ENGINEERING
(264118)
Construction Equipment Operator
Apprenticeship Program: Presentation of
Certificates of Completion to Virginia Tennison
and Brenda Lindberg.

Traffic Restrictions: Quarterly report on
stop signs, parking/turn restrictions, special
zones, streetlights, etc.

METROPOLITAN AIRPORTS
COMMISSION (264119)
Light Rail Transit: Information on airport
terminal options.

**TRANSPORTATION AND PUBLIC WORKS
(See Rep):**
DOWNTOWN COUNCIL (264120)
Nicollet Mall Advisory Board: Appointment
of Broatch Haig as residential representative
and Rosemarie McDonald as alternate.
PUBLIC WORKS AND ENGINEERING
(264121)
Hawthorne Transportation Center
(Greyhound Jefferson Bus Terminal) and
Municipal Parking Ramp Project: Schematic
design approval and direction to prepare final
plans and bidding.
Minnehaha Creek Watershed District
Water Resources Management Plan for

Regional Water Quality Detention (60th & 1st Av S): Comments regarding plan amendments.

PUBLIC WORKS AND ENGINEERING (264122)

Special Boulevard Permit: Request of Conrad Derus, Minnesota Department of Economic Security, to pave boulevard at 777 E Lake St.

Riverview Special Service District: Designate services, locations and cost estimate for remainder of 1998 and all of 1999.

Stadium Village Special Service District: Designate services, locations and cost estimate for remainder of 1998 and all of 1999.

Alley Paving Project (between Fillmore & Pierce St NE & Broadway & 13th Av NE): Designate project and cost estimate.

SEMI Project, Phase I (Elm St to approx. 24th Av): Approve plans with direction to proceed with project.

Flood Mitigation Program: Authorize 1998 acquisition of certain properties with the 43rd & Park and 60th & 1st flood basin areas.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (264123)

Lake Calhoun/Excelsior Boulevard Storm Drain Project: Amend 1998-2002 Capital Improvement Program to advance the Chain of Lakes Grit Chamber Project and the Excelsior Boulevard Storm Drain Project.

1998 Street Paving Program (Zenith Av S): Order work to proceed and adopt special assessments and request that the Board of Estimate and Taxation issue and sell assessment bonds and concur in reallocation of bond funds.

Lyn-Lake Parking Facilities: Approve parking lot rate schedule and impact fees; Comments: Zamansky Professional Association.

Pedestrian Flasher: Install crosswalk and flasher near 5760 Portland Av (Diamond Lake Church) for Hale, Page, Diamond Lake neighborhood.

Midtown Greenway Project - Phase I: Amendment to cost sharing agreement increasing participation of Hennepin Community Works.

Sidewalk Construction: Provide funds for additional work and increase contract with district sidewalk contractors.

PUBLIC WORKS AND ENGINEERING (264124)

Shingle Creek Stormwater Wetland Project: Appropriate funds to allow project to proceed.

Midtown Greenway and Kenilworth Trail Projects: Execute agreements with Hennepin County Regional Railroad Authority and Canadian Pacific Railway accepting liability for bike/pedestrian trail.

PUBLIC WORKS AND ENGINEERING AND FINANCE DEPARTMENT (264125)

Municipal Parking System Operational Audit: Execute contract with Chance Management Advisors for consulting services.

PURCHASING (264126)

Bids: OP #4950, low bid meeting specification of Kennedy Scales, Inc. for a truck scale for Solid Waste & Recycling; OP #4941, low bid meeting specifications of Knutson Construction Services, Inc. for construction of the Currie Maintenance Facility; OP #4945, low bid of NSP for lighting for the Central Neighborhood-Healy Block Extension Pedestrian Lighting Project.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (264127)

1998 Travel Expense Report: Second Quarter.

PUBLIC AFFAIRS (264128)

Paragon Cable Negotiations: Staff Report.

PURCHASING (264129)

Staff Purchasing Letters: Receive & File.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (264130)

Legal Services: Agreement with Burstein, Hertogs & McFarland.

Schnitzer Site Cost Recovery: Settlement from potentially responsible parties group.

CITY COUNCIL (264131)

1999 City Council Calendar: Approved.

CIVIL RIGHTS (264132)

Commission on Civil Rights: Approve mayoral and Council appointments & reappointments.

COMMUNICATIONS (264132.1)

Minneapolis Telecommunications Network: Appropriation to refurbish playback facility.

COORDINATOR (264133)

Bid: OP #4942, Accept low bid meeting specifications of Knutson Construction for Convention Center parking facility.

COORDINATOR (264134)

Information & Technology Master Contract Pilot Program: Amend Master Contract.

Leased Office Space: Agreement with management of Midland Square Building.

COORDINATOR (264135)

Portland Place Project: Submit grant application.

City/County Homelessness Task Force: Appropriate funds.

Convention Center Completion Project: Contract with J&H Marsh & McLennan, Inc and Premier RiskTech Services.

COUNCIL MEMBER CHERRYHOMES (264136)

Mona H. Moede Neighborhood Early Learning Center: Approve temporary funding.

ESTIMATE AND TAXATION (264137)

Capital Program Technical Amendments: Mid-year budget amendments.

FINANCE DEPARTMENT (264138)

Priorities '99: Approve schedule for review by Council Committees.

FINANCE DEPARTMENT (264139)

Utility Billing Insert: Inclusion for October mailing.

HEALTH AND FAMILY SUPPORT SERVICES (264140)

Curfew Truancy Services: Contracts with Hennepin County & Special School District #1 and accept funds.

Federal Welfare-to-Work Grant: Accept grant funds.

State Youth Works Grant: Execute grant agreement & accept funds, Federal Americorps Grant: Execute grant agreement & accept funds.

HUMAN RESOURCES (264141)

Civilian Police Review Authority: Defer increasing appropriation to third quarter budget review.

HUMAN RESOURCES (264142)

Reclassification Study for Appointed Employees in Health Department: Approve grade & salary range.

PLANNING COMMISSION/DEPARTMENT (264143)

Minneapolis Community Development Agency Funds, Lyndale Gateway Plan:

Appropriation for Planning Department administration.

Neighborhood Revitalization Program Funds, Longfellow - Minnehaha Corridor Study: Appropriation for Planning Department administration.

Neighborhood Revitalization Program Funds, Excelsior Boulevard Study: Appropriation for Planning Department administration.

Neighborhood Revitalization Program Funds, McKinley Neighborhood Plan: Appropriation for Planning Department administration.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (264144)

50th & Lyndale, Nicollet, Penn; 54th & Lyndale, Nicollet, Penn; 60th & Nicollet; 61st & Lyndale (Church of the Annunciation) temporary sandwich board signs; 53rd & Lyndale (Schad-Tracy Signs) sign; Colfax Av S, 3015 (Lanniray T Jordan) garage variation; Metrodome Plaza (Marc Rood) inflatables for Gopher events; Pillsbury Av S, 3044 (Choice Wood Co) underground obstruction variance.

INSPECTIONS/BOARD OF ADJUSTMENT (264145)

Robert Feller (5344 Penn Av S): Application for variation of front yard & side yard to permit detached garage between front of dwelling & front lot line, w/minutes, drawings, photos, letters of support.

Lynne & John Shepardson (5508 Stevens Av S): Appeal decision denying 50 foot driveway, w/minutes, maps, drawings, photos.

PARK BOARD (264146)

Parade Stadium: Approve action for construction of additional locker rooms to go forward without conditional use permit.

Attorney: Recommend Parade Stadium project be included in exemption for certain park & school construction activities for this year rather than delaying construction for a conditional use permit review.

PLANNING COMMISSION/DEPARTMENT (264147)

Development Objectives for Near Northside.

PLANNING COMMISSION/DEPARTMENT (264148)

Holiday Stationstores, Inc (2108-2124 E Franklin Av): Waiver from gas station

moratorium 98-Or-083 to permit demolition & redevelopment of existing Holiday Station, w/attached photos, maps, letter of support. Mostafa Chatraei (3446 Bloomington Av S): Planning Department: Waiver from gas station moratorium 98-Or-083 to permit re-establishment of automobile repair garage, w/attached maps, photos, drawings, letters. Council Member Thurber: Conditions of granting waiver.

PLANNING COMMISSION/DEPARTMENT (264149)

Minneapolis Public Schools: Vacation of 5 streets or alleys bounded by 4th St N, 34th Av N, 3rd St N & Lowry Av N to permit Perkins Hill K-8 public school & playground, w/drawing, maps, findings; Vacation of 3 streets or alleys bounded by Humboldt, & Irvings Aves N between 29th & 30th Aves to permit Jordan Park Area K-8 school w/drawing, maps, findings; Action taken by Planning Committee on 9/14/98 re same vacations.

Hillcrest Development: Vacation of Traffic St between Roosevelt St NE & Stinson Boulevard & portion of Stinson Boulevard right-of-way adjacent to west side of 323 Stinson Boulevard to permit office development w/drawings, maps, findings.

Matthew Zimmerman dba Wild Sound: Rezone 2400 2nd St NE, w/findings, maps, photos, letters in support.

UNFINISHED BUSINESS:

MAYOR (264150)

Milwaukee Depot: Veto action, stating objections.

NEW BUSINESS:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264150.1)

Milwaukee Depot Redevelopment Project: Staff recommendation for conceptual approval of skyway encroachment and project finance plan.

FILED:

CITY CLERK/SPECIAL PERMITS (264151)

1st Av N, 120 (116 Associates) noontime party in alley; 3rd Av S, 2400 (Minneapolis Institute of Arts) tents; 14th Av SE, 416 (Graphic House Inc) sign; Main St at Riverplace (Denice M Porterfield) ponies & horses.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264152)

Component Unit Financial Report, yr end 12/31/97.

FINANCE DEPARTMENT (264153)

Schedule of Self-supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 9/31/98.

FIRE DEPARTMENT (264154)

Minneapolis Fire Department Annual report, 1997.

MINNESOTA STATE OFFICES (264155)

Library Board Ltr & Management and Compliance Report for December 31, 1997.

NORTHERN STATES POWER (NSP) (264156)

Utilities: Authorize place poles at various locations.

**Reports of
Standing Committees**

The **Community Development** Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the division of the northern one-third of the lot at 1710 – 26th Ave N, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-322

By Niland

**Approving the subdivision of a lot at
1710-26th Avenue North.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1710-26th

Avenue North and legally described as the West 1/3 of Lots 5, 6 and 7, Block 1, On the Heights, an Addition to Minneapolis be subdivided as follows:

Parcel A: The West 1/3 of Lot 7, Block 1, On the Heights, an Addition to Minneapolis;

Parcel B: The West 1/3 of Lot 6, Block 1, On the Heights, an Addition to Minneapolis;

Parcel C: The West 1/3 of Lot 5, Block 1, On the Heights, an Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent properties legally described as:

Parcel A (2603 James Avenue North): The East 2/3 of Lot 7, Block 1, On the Heights, an Addition to Minneapolis;

Parcel B (2607 James Avenue North): The East 2/3 of Lot 6, Block 1, On the Heights, an Addition to Minneapolis;

Parcel C (2611 James Avenue North): The East 2/3 of Lot 5, Block 1, On the Heights, an Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on August 27, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 9:30 a.m., September 8, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the division of the lot at 1842 Polk St NE, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcel.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-323

By Niland

Approving the subdivision of a lot at 1842 Polk Street Northeast.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1842 Polk Street Northeast and legally described as Lot 4, Block 2, Provo's Addition to Minneapolis be subdivided as follows:

Parcel A: The South ½ of Lot 4, Block 2, Provo's Addition to Minneapolis;

Parcel B: Lot 4 except the South ½ thereof, Block 2, Provo's Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

Parcel A: (1838 Polk Street Northeast): Lot 5, Block 2, Provo's Addition to Minneapolis;

Parcel B: (1846 Polk Street Northeast): Lot 3, Block 2, Provo's Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on August 27, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint

meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 9:30 a.m., September 8, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved, that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency appropriation in fund CBM (Hennepin & Lake) by \$500,000 to reflect transfer of funds from Fund CBD (Chicago & Lake) which provided matching funds to the Metropolitan Council Tax Base Revitalization Account grants awarded for asbestos cleanup at the former Sears site.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-324
By Niland

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CBM – Hennepin & Lake by \$500,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the matter of issuance of bonds as a joint issue with the Housing and Redevelopment Authority of the City of St. Paul to finance the acquisition and installation of hospital equipment and construction and improvement of Allina Health System buildings at various locations, including improvements at Abbott Northwestern Hospital of a 6,000 square foot build-out for the orthopedic services area and remodeling of radiology department and operating rooms, and the Council having granted preliminary approval to issue such bonds on July 17, 1998, now recommends passage of the accompanying resolution granting final approval to issue up to \$150,000,000 in Tax-exempt Hospital Revenue Bonds Series 1998 for Allina Health System (Petr No 264105).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

Resolution 98R-325, providing for the issuance and sale of Revenue Bonds pursuant to Sections 469.152 to 469.165, Minnesota Statutes, to provide funds to be loaned to Allina Health System, was passed September 18, 1998 by the City Council and approved September 18, 1998 by the Acting Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-325
By Niland

**Providing for the issuance and sale of
Revenue Bonds pursuant to Sections
469.152 to 469.165, Minnesota Statutes, to
provide funds to be loaned to Allina Health
System.**

Whereas, the City is, by the Constitution and laws of the State of Minnesota, including Sections 469.152 to 469.165, Minnesota Statutes (the "Act"), acting jointly with the Housing and Redevelopment Authority of the City of Saint Paul (the "HRA"), authorized to issue and sell its revenue bonds for the purpose of undertaking authorized projects and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act and to pledge revenues of such projects and otherwise secure such bonds; and

Whereas, the City Council hereby determines that it is desirable and expedient to authorize the issuance and sale of revenue bonds of the City and the HRA, in one or more series, pursuant to the Act for the purpose of funding a loan from the City to Allina Health System, a Minnesota nonprofit corporation (the "Corporation" and together with Mount Sinai Foundation, a Minnesota nonprofit corporation, the "Obligated Group") to refund certain bonds issued by the Cities of Eagan, Forest Lake and Woodbury (collectively, the "Prior Bonds") and to finance projects in the City and the Cities of Buffalo, Coon Rapids, Cottage Grove, Eagan, Forest Lake, Fridley, Woodbury and Saint Paul (collectively, the "Project") and to fund certain costs of issuance; and

Whereas, the refunding of certain Prior Bonds and the financing of the Project, including certain costs of issuance, will be financed by the Variable Rate Demand Health Care Revenue Bonds (Allina Health System), Series 1998A Periodic Auction Reset Securities (PARS) (the "Series 1998A Bonds") to be issued by the City and the HRA pursuant to a Bond Trust Indenture dated as of October 1, 1998 (the "1998A Bond Indenture"), from the City and the HRA to Norwest Bank Minnesota, National Association, as trustee (the "Bond Trustee"); and

Whereas, the Series 1998A Bonds will bear interest at a variable rate in the maximum aggregate principal amount of \$150,000,000 maturing and subject to sinking fund redemption no later than thirty years from the date of issuance and subject, in part, to an interest rate swap agreement between the Corporation and the counterparty in the form noted on the books and records of the City; and

Whereas, the Series 1998A Bonds may be issued in one or more series under a single indenture substantially in the form of the 1998A

Bond Indenture, as deemed desirable by the Corporation; and

Whereas, the Series 1998A Bonds will be insured by MBIA Insurance Corporation pursuant to a municipal bond insurance policy; and

Whereas, forms of the following documents relating to the Series 1998A Bonds have been submitted to the City Council and are now on file in the offices of the Minneapolis Community Development Agency:

(a) Loan Agreement, one or more, to be entered into among the City, the HRA and the Corporation, each to be dated as of October 1, 1998 (collectively, the "Loan Agreement"), whereby, among other things, the City and the HRA have agreed to make a loan to the Corporation to provide for the Project and the refunding of the Prior Bonds;

(b) Master Trust Indenture (the "Master Indenture") dated as of October 1, 1998 from the Corporation to Norwest Bank Minnesota, National Association (the "Master Trustee"), providing for the creation of Obligations from time to time to evidence borrowings by the Corporation for itself or its Obligated Group and certain covenants for the security of the Obligations (this document not to be executed by the City or the HRA);

(c) First Supplemental Master Trust Indenture (the "Supplemental Indenture") dated as of October 1, 1998 between the Corporation and the Master Trustee, providing for the creation of one or more Obligations in the aggregate principal amount equal to the aggregate principal amount of the Series 1998A Bonds to evidence loan repayments to be made by the Corporation to the City and HRA in respect of the Series 1998A Bonds and the Corporation's covenants to secure the Obligation or Obligations, (which Obligation or Obligations will be registered in the name of the City and the HRA and assigned to the Bond Trustee);

(d) 1998A Bond Indenture dated as of October 1, 1998 from the City and the HRA to the Bond Trustee, whereby the terms of and security for the Series 1998A Bonds are set forth;

(e) Official Statement (the "Official Statement") to be circulated by the underwriters in connection with the sale of the Series 1998A Bonds, (not yet on file but to be prepared in substantially the same form as the Draft Official

Statement with minor variations, and completed as to interest rate, sinking fund redemption and other bond details);

(f) Purchase Contract, one or more, (collectively, the "Contract of Purchase") (including Letter of Representations from the Corporation attached as an Exhibit thereto), to be completed as to interest rate and purchase price, pursuant to which the City and the HRA will sell to Goldman Sachs & Co., Piper Jaffray Inc. and Dain Rauscher Inc. (the "Underwriters") the Series 1998A Bonds, subject to the terms and conditions thereof;

(g) Joint Powers Agreement (the "Joint Powers Agreement") to be dated as of October 1, 1998 among the City, the HRA, Cities of Buffalo, Coon Rapids, Cottage Grove, Eagan, Forest Lake and Woodbury and the North Suburban Hospital District, Anoka and Ramsey Counties.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That it is hereby found and determined that:

(a) The components of the Project constitute properties which are used or useful in connection with revenue producing enterprises engaged in providing health care services and are "projects" authorized by and described in Section 469.153, subd. 2(d) of the Act.

(b) The purpose of the Project and the refunding of the Prior Bonds is and the effect thereof will be to promote the public welfare by: providing health care services; preventing the emergence of blighted and marginal lands and areas of chronic unemployment; preventing economic deterioration; the development of sound industry and commerce to use the available resources of the community, in order to retain the benefit of the community's existing investment in educational and public service facilities; and halting the movement of talented, educated personnel to other areas and thus preserving the economic and human resources of the State of Minnesota.

(c) The Project has been approved in all respects by a preliminary resolution of the City Council duly adopted after a public hearing thereon, duly called and held, and the Project has been approved in all respects by the Commissioner of Trade and Economic Development of the State of Minnesota as

tending to further the purpose and policies of the Act.

(d) The issuance and sale of the Series 1998A Bonds, the execution and delivery of the Loan Agreement, the Contract of Purchase, the Bond Indenture and the Joint Powers Agreement (the "Issuer Documents") and the performance of all covenants and agreements of the City contained in the Series 1998A Bonds and the Issuer Documents and of all other acts and things required under the Constitution and laws of the State of Minnesota to make the Series 1998 Bonds and the Issuer Documents valid and binding obligations of the City in accordance with their terms, are undertaken pursuant to the Act.

(e) There is no litigation pending or, to the best of its knowledge threatened, against the City relating to the Project, the Prior Bonds or to the Series 1998A Bonds or the Issuer Documents, or questioning the organization of the City or its power or authority to issue the Series 1998A Bonds or to execute and deliver the Issuer Documents or to endorse the Obligation or Obligations to the Bond Trustee.

(f) The execution and delivery of and the performance of the City's obligations under the Series 1998A Bonds, the Issuer Documents and endorsement of the Obligations do not and will not violate any provision of the City Charter, any order of any court or other agency of government, or any indenture, agreement or other instrument to which the City is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument.

(g) The Loan Agreement, the Supplemental Indenture and the Obligations provide for payments by the Corporation to the Bond Trustee for the account of the City and the HRA of such amounts as will be sufficient to pay the principal of and interest and premium, if any, on the Series 1998A Bonds when due. The Loan Agreement and the Supplemental Indenture obligate the Corporation to provide for the operation and maintenance of the Project, including adequate insurance, taxes and special assessments.

(h) As required by the provisions of Section 469.162 of the Act, the Series 1998A Bonds shall recite that the Series 1998A Bonds are not to be payable from nor charged upon

any funds other than amounts received pursuant to the municipal bond insurance policy, the Loan Agreement, Master Indenture and the Supplemental Indenture, or funds and investments held by the Bond Trustee under the Bond Indenture; neither the City nor the HRA is subject to any liability thereon; no Holder of the Series 1998A Bonds shall ever have the right to compel the exercise of the taxing power of the City or the HRA to pay the Series 1998A Bonds or the interest thereon, nor to enforce payment thereof against any property of the City or the HRA except the revenues pledged to the payment thereof; the Series 1998A Bonds do not constitute any indebtedness of the City or the HRA within the meaning of any constitutional, statutory or charter limitation.

(i) No member of the City Council (i) has a direct or indirect interest in the Project, the Prior Bonds, the Issuer Documents or the Series 1998A Bonds, (ii) has a direct or indirect interest in the Corporation, (iii) was or will be involved in the acquisition, installation or construction of the Project on behalf of the Corporation, or (iv) has received or will receive any commission, bonus or other remuneration for or in respect of the Project, the Issuer Documents or the Series 1998A Bonds.

2. Approval and Execution of Documents. The forms of Loan Agreement, Bond Indenture, Contract of Purchase and the Joint Powers Agreement referred to above are approved. Such documents shall be executed, and the Obligation or Obligations shall be endorsed to the Bond Trustee, in the name and on behalf of the City by the Mayor, the Finance Officer (or the Deputy Finance Officer) and the City Clerk (or Assistant City Clerk) in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof. The Master Indenture and the Supplemental Indenture, may contain such revisions as may be approved by the Bond Trustee, the Master Trustee or the Corporation as may be the respective parties thereto.

3. Approval of Terms and Sale of Series 1998A Bonds. The City shall proceed forthwith to issue jointly with the HRA the Series 1998A Bonds, in the maximum aggregate principal amount of \$150,000,000, substantially in the

form, maturing, bearing interest and otherwise containing the provisions set forth in the form of the Bond contained in the Bond Indenture, which terms and provisions are hereby approved and incorporated in this Bond Resolution and made a part hereof; provided that the aggregate principal amount of the Series 1998A Bonds shall be set forth in the Contract of Purchase and may be such lesser amount than \$150,000,000 and the interest rates payable with respect to the Series 1998A Bonds may be at a variable rates at an initial variable rate not exceeding six percent per annum and may be issued as one or more series under one or more Bond Indentures, as the Corporation deems desirable to finance the costs of the Project, the refunding of the Prior Bonds and certain issuance costs as described herein. The proposal of the Underwriters to purchase the Series 1998A Bonds at a price not less than 98% of the principal amount of the Bonds, such price to be set forth in the Contract of Purchase, and additional compensation not to exceed an additional 1/2 of one percent of the principal amount of the Bonds is hereby found and determined to be reasonable and may be accepted by execution of the Contract of Purchase.

4. Execution and Delivery of Series 1998A Bonds. The Series 1998A Bonds shall be executed by the facsimile signatures of the Mayor and Finance Officer and shall be attested by the facsimile signature of the City Clerk and the official seal of the City may be affixed thereto or imprinted thereon, and the Series 1998 Bonds shall be delivered to the Underwriters upon payment of the purchase price therefor, and upon receipt of the signed legal opinion of Faegre & Benson LLP, Minneapolis, Minnesota, bond counsel, pursuant to the Contract of Purchase. Each of the Series 1998A Bonds shall contain a recital that it is issued pursuant to the Act, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

5. Authorized Municipal Representative. The Finance Officer (or the Deputy Finance Officer) is hereby confirmed and designated as the Authorized Municipal Representative for all purposes of the Loan Agreement and the Bond Indenture with full authority to do on behalf of the City all those things required or authorized by the Issuer Documents to be done by action or certificate of the Authorized Municipal

Representative, including, if necessary, the purchase of securities for the refunding of the Prior Bonds.

6. Consent to Circulation of Official Statement. The City hereby consents to the circulation of the Official Statement, in preliminary or final form, provided that the Official Statement shall recite that the City has neither participated in the preparation of the Official Statement nor made any independent investigation of the facts contained therein nor does the City of Minneapolis assume any responsibility for the sufficiency, accuracy or completeness of the information contained in the Official Statement. The Official Statement shall be prepared in substantially the same form as the draft Official Statement now on file with the City, with such changes as may be approved by any of the City officers set forth in Section 2 hereof or any MCDA staff person. The draft Official Statement is hereby designated a "near final" Official Statement for purposes of Rule 15c2-12 of the Securities Exchange Commission.

7. Certifications. The Mayor, Finance Officer, City Clerk and other officers of the City are authorized and directed to provide to Faegre & Benson LLP, bond counsel, to the Corporation, the Bond Trustee and the Underwriters, certified copies of all proceedings and records of the City relating to the Project and the Series 1998A Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements of facts contained therein.

8. Program Bonds. The Series 1998A Bonds are hereby designated "Program Bonds" and are determined to be within the "Health Care Program" and the "Program", all as defined in Resolution 88R-021 of the City adopted January 29, 1988.

9. Future Amendments. The authority to approve, execute and deliver future amendments to financing documents entered into by the City in connection with the issuance of the Series 1998A Bonds is hereby delegated to the Mayor, Finance Officer and Clerk, subject to the following conditions: (a) such

amendments do not require the consent of the holders of the Bonds; (b) such amendments do not materially adversely affect the interests of the City; (c) such amendments do not contravene or violate any policy of the City; (d) such amendments are acceptable in form and substance to the City Attorney; and (e) the City has received an opinion of bond counsel to the effect that the amendments will not adversely affect the tax-exempt status of interest on the Bonds, if the Series 1998A Bonds are then tax-exempt obligations. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this Resolution. The execution of any instrument by the Mayor, Finance Officer or Clerk shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Mayor, Finance Officer or Clerk, any instrument authorized by this paragraph to be executed and delivered may be executed by the officer of the City authorized to act in their place and stead.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the use of Community Development Block Grant (CDBG) Lead Abatement funds for the purpose of providing a minimum 10% in matching funds to qualify for federal Round IV Lead Hazard Reduction funds, now recommends approval to reallocate \$200,000 of Minneapolis Community Development Agency Year 24 Community Development Block Grant (CDBG) Lead Abatement funds from fund FBG (MCDA-CDBG), Report Category 2204, into cost center 040-835-8393 to fulfill said match requirements.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution establishing a Task Force for the purpose of identifying and evaluating potential downtown open space.

Cherryhomes moved to amend the resolution by adding the following paragraph: "Be It Further Resolved that the Planning Director and Executive Director of the Minneapolis Community Development Agency be directed to convene a staff team to guide this joint effort." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-326
By Cherryhomes and Niland

Establishing a Task Force for the purpose of identifying and evaluating potential downtown open space.

Whereas, downtown Minneapolis contains a shortage of well designed open spaces; and

Whereas, the Downtown 2010 Plan states that "open space" serves as a recreational and visual amenity, and its presence lends identity, value and focus to an area; and

Whereas, open space contributes to the enrichment of the city and enlarges opportunities for public employment; and

Whereas, the Minneapolis Beautiful Redesign initiative was introduced to the City Council during the Priorities 98 process to identify and implement projects that support enhancing urban aesthetics in capitol developments, public spaces and infrastructures;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That a Task Force be established for the purpose of identifying and evaluating potential downtown open space.

Be It Further Resolved that the Task Force consist of representatives from the Planning Department, the Minneapolis Community Development Agency, Park Board, Public Works, Downtown Council, Committee of Urban Environment, Mayor's Advisory

Committee on People with Disabilities, Hennepin County and Downtown Minneapolis Neighborhood Association and at large members representing professional expertise in such fields as architecture and landscape architecture, event coordination and other appropriate professionals. Such members will be selected through the open appointments process.

Be It Further Resolved that the Task Force report back its findings and recommendations to the City Council by January 15, 1999.

Be It Further Resolved that the Planning Director and Executive Director of the Minneapolis Community Development Agency be directed to convene a staff team to guide this joint effort.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **Community Development** and **Ways & Means/Budget** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the final processing of a proposed amendment to Nicollet Plaza Development District #56 which began in 1984 to reduce the amount of gross square feet of development of an office tower complex on the northwesterly corner of 6th St and Nicollet Mall from 1,250,000 to a minimum of 750,000 and allow a plaza at the corner of 6th St and Nicollet Mall with the specific approval of the Minneapolis Community Development Agency (MCDA) and the City, and having received review by the City Planning Commission on 9/12/84 and the Nicollet Plaza Advisory Board on 10/10/84, and having held a public hearing thereon, now recommends passage of the accompanying resolution amending Development District #56, Nicollet Plaza, Plan and Program as set forth in Petn No 264106.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-327
By Niland and Campbell

**Authorizing approval of First
Amendment to the Nicollet Plaza Municipal
Development District No. 56.**

Whereas, the Minneapolis Community Development Agency (the "Agency") prepared and approved a development plan and program dated March 3, 1982 titled, "Nicollet Plaza-Development District No. 56, Development Plan and Program" (the "Plan"); and

Whereas, the City Council of the City of Minneapolis (the "City") approved the Plan and the creation of the Nicollet Plaza Development District No. 56 (the "Development District") by adopting Resolution No. 82R-141 on April 30, 1982; and

Whereas, the major objectives of the Plan are to remove structurally substandard buildings which are incapable of being rehabilitated; acquire and remove buildings that are economically or functionally obsolete and/or buildings that are underutilized; acquire land that is underutilized to facilitate development; eliminate blighting influences which impede the potential development of the area; provide increased employment opportunities and supplement the financial base of the community; provide redevelopment sites of such size and character to assure development of the area and strengthen the overall economy so as to improve the sources of public revenue; provide land for needed expansion of existing housing and business in the area; provide streets, utilities, and other public improvements and facilities to enhance the area for both new and existing development; achieve rehabilitation of buildings that will remain; provide maximum opportunity, consistent with sound needs of the City as a whole for redevelopment by private enterprise; to encourage and facilitate the involvement of the community in resolving neighborhood problems related to housing, physical structures, and land use; to develop a workable rehabilitation program for owners of their property; to provide general design guidance in conjunction with suitable development controls in order to

enhance the physical environment of the area; and

Whereas, the Municipal Development District Act (Minnesota Statutes, Section 469.124 through Section 469.134) provides at Minnesota Statutes, Section 469.126, Subd. 2 that the City may adopt and amend the "Development Program" (as that term is defined at Minnesota Statutes, Section 469.125) for the Development District; and

Whereas, the Agency prepared a document titled "Nicollet Plaza-Development District No. 56, Development Plan and Program, March 3, 1982, Amendment No. 1, dated August 6, 1984" (the "Amendment") which was approved by the Nicollet Plaza Advisory Board for the Development District on October 10, 1984 and approved by the City's Planning Commission on September 12, 1984; and

Whereas, the Amendment modifies the Plan to revise the requirements for the physical feature of any proposed development in order to make the requirements more consistent with a desirable office/retail project; allow for a potential setback for a plaza at the corner of Nicollet Mall and Sixth Street with the approval of the Agency and the City; clarify the Plan objectives and correct language in the Plan; require any developer under the Plan to prepare any reports or studies required by State or Federal law; add language expressing a preference that any project under the Plan receive services from a remote energy center; and delete certain financing requirements; and

Whereas, the approval of the Amendment was not completed in 1984 by the Agency and the City; and

Whereas, the City published notice on August 26, 1998 in Finance and Commerce, the official newspaper of the City, of a public hearing held by the City's Community Development Committee on September 8, 1998 in order to receive public comment on the Amendment and to consider the Amendment; and

Whereas, a public hearing was held on the Amendment on September 8, 1998 by the Community Development Committee of the City Council and public comment was received; and

Whereas, the Amendment is on file with the City Clerk of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City, after notice published in Finance and Commerce, the official newspaper of the City, on August 26, 1998, did conduct a public hearing to determine whether it is proper and desirable to amend the Plan per the Amendment.

Be It Further Resolved that the Nicollet Plaza Citizens Advisory Board (the "Advisory Board"), which was created by the City Council pursuant to Minnesota Statutes, Section 472A.11, was consulted in the preparation of the Amendment and reported its findings and unanimously approved the Amendment on October 10, 1984.

Be It Further Resolved that the Amendment was transmitted to the Planning Commission of the City of Minneapolis (the "Planning Commission") for its review pursuant to Minnesota Statutes, Section 472A.03, and Chapter 13, Section 6 of the Minneapolis City Charter, and the Planning Commission at its regular meeting of September 12, 1984 gave its written opinion of the Amendment and its findings as to the compliance with the Municipal Plan of the City of Minneapolis.

Be It Further Resolved that the Amendment serves an important public purpose by clarifying the requirements and characteristics for any proposed development in the Development District created by the Plan, thereby facilitating development in the City which will spur job growth in the downtown core and expand the tax base of the City.

Be It Further Resolved that in the period subsequent to the consideration of the Amendment by either the Advisory Board or by the Planning Commission, there has been no material change in the facts supporting the Amendment, or the circumstances requiring the Amendment, which requires reconsideration of the Amendment by the Advisory Board and the Planning Commission.

Be It Further Resolved that a public hearing on the Amendment was held on September 8, 1998 by the Community Development Committee of the City Council and public comment was received.

Be It Further Resolved that the Amendment will carry out the purposes and policies of, and is in accordance with, Minnesota Statutes Chapter 472A and its successor Act, Minnesota

Statutes, Section 469.124 through Section 469.134, the Municipal Development Act.

Be It Further Resolved that it is proper and desirable, in the public interest and necessary for the benefit of the City to amend the Plan as described in the Amendment.

Be It Further Resolved that the "Nicollet Plaza-Development District #56 Development Plan and Program, March 3, 1982, Amendment No. 1, dated August 6, 1984" is hereby approved and made a part of the document entitled "Nicollet Plaza-Development District #56, Development Plan and Program."

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration Minnesota Youth Enrichment Grant Program funding, now recommends that the City of Minneapolis endorse and support the lead public entity in the submission of applications, in collaboration with the Neighborhood Revitalization Program, Park Board, School Board and Youth Coordinating Board, for grant funding to the Minnesota Department of Children, Families and Learning for the following projects: 1) East Phillips Park restoration; 2) Brackett Park building; 3) Loring Park renovation; 4) Cavell Park tennis court; 5) Chance to Grow program; 6) McRae Park rink; 7) Phelps Park canopy and deficit; 8) Lind-Bohanon wading pool; 9) Victory Park fields; 10) North Commons pool; and 11) Lynhurst Park fields. Said projects are more fully described in Petn No 264107.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County "second 7.5%" NRP funds in the amount of \$41,000 to partially support a Youth Outreach Worker (\$26,000), the Longfellow/Seward Healthy Seniors Program

(\$5,000), and the Parents of East African's Common Effort (PEACE) program (\$10,000) as part of the Seward NRP Action Plan, now recommends:

1. Approval of the use of \$41,000 of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$41,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 264108).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-328
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$41,000 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County "second 7.5%" NRP funds in the amount of \$79,544 to support the funding of an arts curriculum coordinator for the Whittier Community School for the Arts as part of the Whittier NRP Action Plan, now recommends:

1. Approval of the use of \$79,544 of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$79,544;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 264108).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-329
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$79,544 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Calhoun Area Residents Action Group (CARAG) Neighborhood's request for early access to NRP funds in the amount of \$40,000 to support improvements at the Lyndale School playground, as set forth in Petr No 264108, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$40,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-330
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$40,000 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Victory Neighborhood's request for early access to NRP funds in the amount of \$233,500 to increase funding for the Home Improvement Loan Program (\$225,000), expedite stop sign installation (\$3,500) and support the Camden Develops Inc. Program (\$5,000), as set forth in Petn No 264108, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$233,500;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Johnson moved to amend the report by adding a new paragraph "5" to read as follows:

"5. That the effective date for approval of this early access request shall be July 1, 1998." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-331
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$233,500 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the East Calhoun Community Organization (ECCO) Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$794,375, as set forth in Petn No 264108, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$328,400;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$440,975 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-332
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$328,400 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the River Station II redevelopment proposal of Hunt/Gregory (Heritage Landing LLC), to construct 225-units of rental housing on the approximately three acre site adjacent to River Station I (401 – 1st St N), including construction of 5,500 square feet of commercial space and 380 parking stalls, now recommends that the proper officers of the Minneapolis Community Development Agency (MCDA) be authorized to prepare a redevelopment contract with Hunt/Gregory

based on the business terms set forth in Petn No 264106.

Your Committee further recommends that upon approval of the aforementioned business terms, that the proper officers of the MCDA prepare the appropriate documents allowing the creation of a new housing Tax Increment District and the de-certification of an old one. The new district will facilitate the “pay-as-you-go” financing required.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee recommends that the proper officers of the Minneapolis Community Development Agency (MCDA) be authorized to apply to the Minnesota Department of Trade and Economic Development for Redevelopment Grant Program funds for the STA Chicago-Lake Redevelopment Project and the Penn Lowry Redevelopment Project, as set forth in Petn No 264106.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The Community Development and Zoning & Planning Committees submitted the following report:

Comm Dev & Z&P – Your Committee, having under consideration Development Objectives for portions of the Milwaukee Road Depot and Mills District area generally bounded by 3rd Ave S, Portland Ave S, 1st St S and Washington Ave S located in the Industry Square Redevelopment Project, now recommends approval of the Development Objectives as set forth in Petn No 264109.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following report:

IGR – Your Committee recommends passage of the accompanying resolution deciding not to participate in creating a tax increment finance district on the Armory site for hotel development.

Herron moved that the subject matter of the above report be referred back to the Intergovernmental Relations Committee.

Adopted. Yeas, 7; Nays, 6 as follows:

Yeas – Biernat, Colvin Roy, Herron, Johnson, Thurber, Ostrow, Cherryhomes.

Nays – Campbell, Niland, Goodman, Mead, Minn, McDonald.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the 1998 United States Department of Justice, Bureau of Justice Assistance, Local Law Enforcement Block Grant, and having held the required public hearing thereon to receive comments on the proposed categories for funding in accordance with the federal guidelines, now recommends that the proper City Officers be directed to convey to the federal government the required details relating to said public hearing, including the date and number of residents in attendance.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 350 of the Minneapolis Code of Ordinances relating to **Licenses and Business Regulations: Recycling Activities and Salvage Yards**, providing for an adjustment of the license fee, clarifying the scope of the ordinance, adding prohibited acts, and adding a new section to address remedies available for violations including administrative fines, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-095

By Biernat

Intro & 1st Reading: 7/31/98

Ref to: PS&RS

2nd Reading: 9/18/98

Amending Title 13, Chapter 350 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Recycling Activities and Salvage Yards.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 350.10 of the above-entitled ordinance be amended to read as follows:

350.10. Definitions. As used in this chapter, the following terms shall mean:

Hazardous materials: Any refuse or discarded material, or combination of refuse and discarded materials in solid, semisolid, liquid or gaseous form which cannot be handled by routine waste management techniques because they pose a present or potential hazard to human health, other organisms or the environment because of their chemical, biological or physical properties.

Recyclable or salvage materials: All previously used or damaged ferrous and nonferrous metals, synthetic materials, cloth, glass, paper, rubber, batteries, operable and inoperable automobiles or parts thereof, operable and inoperable machinery or parts thereof, concrete, asphalt, and hazardous materials, grass clippings, tree leaves and branches, wood and building materials.

Recycling or salvage yard: All places, other than enclosed buildings, used for storing or keeping of recyclable or salvage materials including, but not limited to, recycling centers and garbage dumps, any part of which is within the City of Minneapolis, whether or not maintained in connection with another business unless the handling of recyclable materials is only incidental to one's business.

Section 2. That Section 350.40 of the above-entitled ordinance be amended to read as follows:

350.40. Fee expiration; address of operation; additional yards; new business surcharge. The annual license fee for a recycling or salvage yard license shall be seven hundred dollars (\$700.00). If a licensee has more than one (1) address of operation, each address must be licensed separately, unless the properties are contiguous or connected. However, the property of all recycling or salvage yards which were licensed on June 30, 1998, or for which there was a pending application on that date, subsequently approved for license, shall continue to be considered as one yard, provided that the property continues to be operated by the same licensee. If a licensee has more than one yard, the fee for each additional yard shall be two hundred fifty dollars (\$250.00). There shall be a surcharge of five hundred dollars (\$500.00) for all new applications for recycling or salvage yard license or for license for new additional yards accepted after June 30, 1998. Licenses under this section shall expire on July first of each year.

Section 3. That Section 350.50 of the above-entitled ordinance be amended to read as follows:

350.50. Violations of this chapter; administrative penalties; fines; revocation; reinspection fees. Any person found in violation of this chapter may be subject to penalties including administrative fines, and/or action to suspend, revoke or deny any current or future licenses. In addition to any other administrative action, a reinspection fee of one hundred dollars (\$100.00) shall be assessed for subsequent inspections, when orders are not complied with, within the specified time frame. All such action initiated under this section shall comply with due process considerations. All actions initiated by the Department of Licenses and Consumer Services are subject to review by the city council.

Section 4. That Section 350.70 of the above-entitled ordinance be amended to read as follows:

350.70. Prohibited acts. Any person

operating a recycling or salvage yard shall exercise reasonable diligence to prevent the commission of the following prohibited acts:

(1) Storing of hazardous materials except in accordance with local, state and federal laws.

(2) Open burning of any materials, unless permitted under applicable laws.

(3) Exposing adjoining or adjacent property to noise, dust, unsightly condition or noxious odors in violation of local, state or federal laws.

(4) Allowing oil, grease, petroleum products or other harmful, hazardous or noxious liquid to run off the yard or absorb into the ground.

(5) Allowing the fence, barrier or wall to lean, slant, or fall, or fall into substantial disrepair.

(6) Allowing recyclable or salvage materials outside of the fence, or where no fence exists, outside the property line of the yard.

(7) Allowing significant dirt, gravel or other debris to be tracked onto public streets and not promptly correcting the condition.

(8) Using, or allowing the use, of the landscaped area required under 350.60 (3), boulevards or other public property to park or store trucks, other commercial vehicles or equipment. Nothing herein shall prohibit public roadway parking in accordance with applicable law.

(9) Knowingly participating in or willfully ignoring any act of fraudulent weighing.

(10) Purchasing property without taking reasonable measures to ascertain that the property being purchased is not stolen. Reasonable measures shall include the refusal to purchase, without subsequent verification of ownership, any material which a knowledgeable person in the industry would suspect to be stolen, or specific material(s) about which a law enforcement representative or a member of the general public has notified the industry.

(11) Failing to report to the police any attempted sale of firearms for scrap.

(12) Allowing any operation other than in accordance with local, state and federal laws.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire July 1, 1999

Marker's Liquor Store Inc, 1538 Nicollet Av (new shareholder/partner);

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 1999

Classic Affairs Inc, dba Schieks Palace Royale, 115 S 4th St (new manager);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

International Catering Inc, dba D J Premier, 275 Market St (August 29, 1998 from 9:00 p.m. to 1:00 a.m.);

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 1999

Caboose Enterprises, Inc, dba Cabooze, 913-17 Cedar Av, 1st Floor;

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1998

German Restaurants Inc, 2300 University Av NE (temporary expansion with outdoor entertainment, Oktoberfest, September 18, 19, 25 & 26 and October 2, 3, 9 & 10, 1998 from 5:00 p.m. to 10:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1999

Tay-Mac Inc, dba Whiskey Junction, 901 Cedar Av;

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 1999

Two-Mac Inc, dba Mackenzie, 918 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1999

Morton's of Chicago/Mpls Inc, dba Morton's of Chicago, 555 Nicollet Mall;

Ruth's Chris Steak House #14 Inc, dba Ruth's Chris Steak House, 920 2nd Av S;

Levit Holdings Ltd, dba Ichiban Japanese Steakhouse, 1333 Nicollet Mall;

On-Sale Liquor Class E, to expire October 1, 1999

Di Napoli Lounge Inc, dba Di Napoli Lounge, 814-18 Hennepin Av;

Temporary On-Sale Liquor

Minneapolis Downtown Council, 81 S 9th St #260 (James Page 5K Race on Peavey Plaza, 11th St & Nicollet Mall, with entertainment, on September 26, 1998 from 10:00 a.m. to 2:30 p.m.);

Northern Clay Center, 2424 E Franklin Av (NCC Building, with entertainment, on

September 25, 1998 from 6:00 p.m. to 9:00 p.m.; licensed facilitator: Kierans Irish Pub);

On-Sale Wine Class E with Strong Beer, to expire April 1, 1999

Taqueria Don Blass Inc, dba Taco Blass, 3764 Nicollet Av (new business);

Emison Enterprises Inc, dba Minneapolis 5-8 Club, 5800 Cedar Av (new business for wine);

Off-Sale Beer to expire April 1, 1999

Khanat Corp, dba Lee's Market & Deli, 620 W 58th St (new proprietor);

On-Sale Beer Class E to expire April 1, 1999

DBB Inc, dba North Office Bar & Grill, 2203 44th Av N (change in ownership from North Office Inc);

Nelmatt LLC, dba Matts Bar, 3500 Cedar Av (change in ownership from Chermatt Inc);

Emison Enterprises Inc, dba 5-8 Club, 5800 Cedar Av (temporary expansion of premises/temporary outdoor entertainment on September 27, 1998);

Temporary On-Sale Beer

Church of St Helena, 3200 E 44th St (fall festival on September 11, 1998 from 7:00 p.m. to 10:00 p.m., September 12, 1998 from 1:00 p.m. to 9:00 p.m., and September 13, 1998 from 1:00 p.m. to 5:00 p.m.);

Minneapolis Riverfront Arts & Events Committee, 219 Main St SE (fundraiser September 19, 1998 from 11:00 a.m. to 10:00 p.m., September 20, 1998 from 11:00 a.m. to 6:00 p.m.; location: space beneath 3rd Av Bridge along riverfront).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of September 18, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264114):

Building Contractor Class A; Building Contractor Class B; Car Wash; Cement Finisher; Contractor/Masonry Class B; Laundry; Confectionery; Grocery; Food Manufacturer;

Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Café Permit; Vending Machines; Fuel Dealer; Gasoline Filling Station; Motor Vehicle Dealer – Motor Cycles; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer – Used Only; Motor Vehicle Dealer – Additional Lots; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Oil Burner Installer; Commercial Parking Lot Class A; Commercial Parking Lot Class B-Contract; Plasterer; Precious Metal Dealer; Second-Hand Dealer Class B; Solicitor – Company; Solicitor – Individual; Swimming Pools; Taxicab – Vehicle; Tobacco Dealers; and Tree Servicing.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Childrens Hospitals & Clinics Foundation, 2525 Chicago Av (raffle November 14, 1998 at Hilton, 1001 Marquette Av);

League of Catholic Women, 207 S 9th St (raffle November 14, 1998 at Marriott City Center);

March of Dimes, 5233 Edina Industrial Blvd, Edina (raffle September 24, 1998 at Hyatt Regency, 1300 Nicollet Mall);

St. Albert the Great Catholic Church, 2836 33rd Av S (bingo, raffle, pulltabs October 25, 1998);

Church of St Helena, 3204 E 43rd St (bingo & pulltabs September 11, 12 & 13, 1998);

Church of St Austin, 4050 Upton Av N (raffle October 25, 1998).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Taxicab Driver's License held by Yemane Tesfay Mebrahtu, 767 Butternut Avenue, St. Paul, and having been made

aware by the License Inspector that the licensee drove Yellow Taxi #34 on an expired Minneapolis Taxicab Driver's License during the period June 1 through August 6, 1998, and having received notification that the licensee has agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay a fine of \$200 to the City of Minneapolis, with \$100 due in thirty days after the signing of the TAC agreement, and \$100 being stayed for a period of one year, provided there are no same or similar offenses;

b. that the licensee be awarded a provisional Minneapolis Taxicab Driver's License on a temporary basis until the payment of said fine has been received. At that point in time, a permanent Minneapolis Taxicab Driver's License will be reissued;

c. that the licensee never commit such an act again.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration Taxicab Driver's License #02328 held by Joseph D Straus, 2930 33rd Av S, #309, and having received a complaint that the licensee used vulgar language with customers, and having received notification that the licensee has agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee serve a seven day suspension beginning at 12:00 a.m. on September 13, 1998 and ending on September 19, 1998 at 11:59 p.m.;

b. that the licensee receive a stayed fine of \$200 due to the City of Minneapolis if there are

any like or similar offenses within one year;

c. that the licensee provide a letter of apology to the Licenses Department immediately after the signing of the TAC agreement.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute a contract with Hennepin County, in the amount of \$60,000, to reflect reimbursement to the County for costs incurred for production and printing of the SHAPE (Survey of Health of Adults, the Population, and the Environment) Survey, payable from Health Department (010-440-4423).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received a request by the owners to raze said properties, now recommends that the proper City officers be authorized to raze the following properties:

- a. 3445 1st Av S, No lot, No Block, Condominium No 0588 Shartle Manor, a Condominium (PID #03-028-24-42-0184);
- b. 2926 Aldrich Av N, Lot 22, Block 1, Harmony Terrace (PID #09-029-24-41-0020).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee, having under consideration a report passed June 12, 1998 accepting grant funds and executing a grant agreement with the State of Minnesota, in the amount of \$111,650,

from the MinnesotaCare Outreach Grants Program for continuing services through the Minneapolis Public Schools Welcome Center sites, now recommends that said report and Resolution 98R-200 be rescinded as a result of not being able to execute the contract in accordance with the deadlines imposed by the State of Minnesota.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to enter into Facility Lease Agreements for the purpose of leasing the North Campus Fire Training Facility to other organizations, as reflected in the proposed agreement set forth in Petn No 264115 on file in the Office of the City Clerk.

Your Committee further recommends that staff from the Fire and Finance Departments be directed to work together to determine where the revenue generated as a result of said leasing agreements will be allocated in the City's budget.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee, having under consideration the subject matter of daily firefighter staffing, including the hireback policy, now recommends:

PS&RS – that Fire Department staffing be reaffirmed at 109 daily for the 1999 budget, and that bell curve staffing be implemented as a way to eliminate overtime costs.

W&M/Budget – that the Fire Department staffing issue be referred to the 1999 budget process.

Biernat moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Public Safety & Regulatory Services Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends granting the application of Conrad Derus of the Minnesota Department of Economic Security for a Special Boulevard Permit to pave with concrete the boulevard between the sidewalk and the street at 777 E Lake St.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Riverview Special Service District for the remainder of 1998 and all of 1999.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-333
By Mead**

**Riverview Special
Service District**

Designating the services, locations and costs for the Riverview Special Service District for the remainder of 1998 and all of 1999.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44 and Chapter 453 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Riverview area; and

Whereas, the Riverview Special Service District Advisory Board, established in accordance with said Chapter 453, has recommended the services to be provided during the remainder of 1998 and all of 1999; and

Whereas, the total estimated cost of these services, which includes \$500 for City Administration costs, is \$10,400;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following streets will receive additional Sidewalk Snow Shoveling, Sidewalk Ice Melt Application and Snow Removal (\$9,900):

42nd Av S (W side) from 38th St E to approx 120 ft Sly of 38th St E;

42nd Av S (E side) from approx 80 ft Nly of 38th St E to approx 240 ft Sly of 38th St E;

38th St E (both sides) from 42nd Av S to N-S alleys betw 42nd and 43rd Avs S.

Be It Further Resolved that the total cost estimate of \$10,400 for the remainder of 1998 and all of 1999 services be approved and that it be funded by \$10,400 through service charges and \$0 as City portion with any adjustments based on actual expenditures to be made in accordance with the provisions of Section 453.70 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998. J.
Cherryhomes, President of Council.
Approved September 22, 1998. J.
Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Stadium Village Special Service District for the remainder of 1998 and all of 1999.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-334
By Mead**

**Stadium Village
Special Service District**

Designating the services, locations and costs for the Stadium Village Special Service District for the remainder of 1998 and all of 1999.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44 and Chapter 450 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Stadium Village area; and

Whereas, the Stadium Village Special Service District Advisory Board, established in accordance with said Chapter 450, has recommended the services to be provided during the remainder of 1998 and all of 1999; and

Whereas, the total estimated cost of these services, which includes \$1,500 for City Administration costs, is \$52,500;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following streets will receive additional Sidewalk Snow Shoveling, Sidewalk Ice Melt Application and Snow Removal (\$51,000):

Washington Av SE (N side) from approx vac Harvard St SE to approx vac Walnut St SE and from Oak St SE to Huron Blvd SE;

Washington Av SE (S side) from Harvard St SE to approx 130 ft Ely of Huron Blvd SE;

Walnut St SE (E side) from Washington Av SE to approx 165 ft Sly of Washington Av SE;

Oak St SE (W side) from Washington Av SE to approx 165 ft Sly of Washington Av SE;

Oak St SE (E side) from vac Beacon St SE to approx 200 ft Sly of Washington Av SE;

Ontario St SE (W side) from vac Beacon St SE to Washington Av SE; and

Ontario St SE (E side) from approx 135 ft Nly of Washington Av SE to Washington Av SE.

Be It Further Resolved that the total cost estimate of \$52,500 for the remainder of 1998 and all of 1999 services be approved and that it be funded by \$52,500 through service charges and \$0 as City portion with any adjustments based on actual expenditures to be made in accordance with the provisions of Section 450.70 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the improvement of a portion of the N-S alley in the block between Fillmore and Pierce Sts NE from Broadway St NE to 13th Av NE, Special Improvement of Existing Street No 2981.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-335

By Mead

**SPECIAL IMPROVEMENT OF
EXISTING STREET NO 2981**

Designating the improvement of a portion of the N-S alley in the block betw Fillmore and Pierce Sts NE from Broadway St NE to 13th Av NE.

Resolved by The City Council of The City of Minneapolis:

That the following existing alley within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by paving with concrete and including other alley paving related improvements and work as needed:

N-S alley from its dead-end at BNSF Ry Co r/w to Broadway St NE in block betw Fillmore and Pierce Sts NE from Broadway St NE to 13th Av NE.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$44,500 for alley paving improvements and a list of benefited properties

for a portion of the N-S alley in the block between Fillmore and Pierce Sts NE from Broadway St NE to 13th Av NE, Special Improvement of Existing Street No 2981, as designated by Resolution 98R-335 passed September 18, 1998, now recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 8, 1998, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated alley paving project.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration SEMI Phase I, a street paving, storm drain, traffic signal and street lighting improvement project, now recommends passage of the accompanying resolution approving said plans and directing the City Engineer to proceed with the work for SEMI Phase I (from Elm St to 750 meters W of 24th Av).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

RESOLUTION 98R-336

By Mead

Approving plans and grades for the improvement of certain streets on the Municipal State Aid Street System and directing the City Engineer to proceed with the work.

Resolved by The City Council of the City of Minneapolis:

That the plans and grades on file in the office of City Engineer for the following Street Paving, Storm Drain, Traffic Signals, and Street Lighting projects be approved, and that the City Engineer be directed to proceed with the work:

SAP 141-275-06

SEMI Phase I (Elm St to 750 meters W of 24th Av)

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998. J. Cherryhomes, President of Council.

Approved September 18, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

T&PW – Your Committee, having under consideration the Flood Mitigation Program and state grant funds available for property acquisitions, now recommends that the proper City officers be directed to acquire the following properties for purposes of constructing flood control basins at 43rd & Park Aves S and at 60th St E & 1st Av S:

43rd & Park Flood Basin

4317 Oakland Av S

4321 Oakland Av S

4325 Oakland Av S

60th & 1st Av S Flood Basin:

6024 1st Av S

6025 1st Av S

6030 1st Av S

4324 Park Av S
4328 Park Av S
4329 Park Av S
4332 Park Av S
4333 Park Av S
4337 Park Av S
4344 Park Av S
4348 Park Av S
4352 Park Av S
4356 Park Av S
4310 Columbus Av S
4316 Columbus Av S

6031 1st Av S
6035 1st Av S
6036 1st Av S
6044 1st Av S
6004 Stevens Av S
6008 Stevens Av S
6012 Stevens Av S
6016 Stevens Av S
6020 Stevens Av S
6024 Stevens Av S
6028 Stevens Av S
6032 Stevens Av S
6036 Stevens Av S

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council regarding appointment of an additional member and alternate to the Nicollet Mall Advisory Board, now recommends that the following individuals be appointed as residential representatives for terms commencing immediately and expiring on December 31, 1998, concurrent with the terms of other Board members:

- a) Broatch Haig, 1200 Nicollet Mall;
- b) Rosemarie McDonald, 1200 Nicollet Mall, alternate.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, to whom was referred an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Parking, Stopping and Standing, modifying language to accommodate the use of electronic meters and changing language to reflect existing practice regarding enforcement, collection and special permits and, having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.
Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 98-Or-096 amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Parking, Stopping and Standing, amending Sections 478.330 through 478.380 and Sections 478.400 through 478.440, modifying language to accommodate use of electronic meters and changing language to reflect existing practice regarding enforcement, collection and special permits, was passed September 18, 1998 by the City Council and approved September 22, 1998 by the Acting Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-096

By Mead

Intro & 1st Reading: 8/14/98

Ref to: T&PW

2nd Reading: 9-18-98

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 478.320 of the above-entitled ordinance be amended to read as follows:

478.320. Installation and function.

Parking meters shall be mechanical devices approved by the city council and installed on the sidewalk near the curb in locations authorized by the council. Each parking meter shall measure the permissible predetermined period of time for which parking shall be permitted for the part of the street upon which the parking meter is placed.

Section 2. That Section 478.330 of the above-entitled ordinance be amended to read as follows:

478.330. Construction. Each said parking meter shall be so constructed as to display a signal showing legal parking upon the deposit of one or more five-cent (\$0.05) coins, ten-cent (\$0.10) coins or twenty-five-cent (\$0.25) coins of the United States therein, or use of debit card for a period of time conforming to the parking limit as authorized by the city council for the area in which the meter is installed. Each meter shall be constructed with an instruction plate affixed to or made a part thereof which shall indicate the authorized parking time and clearly set out and continue operation from the time of depositing such coins or use of debit card therein until the expiration of the time fixed as the parking limit for the part of the street upon which said meter is placed. Each said meter shall also be so arranged that upon the expiration of said

parking limit, it will indicate that the lawful parking period has expired.

Section 3. That Section 478.340 of the above-entitled ordinance be amended to read as follows:

478.340. Hours. Parking meters shall be in operation ~~between~~ during the hours of 8:00 a.m. and 6:00 p.m. of any day and days as indicated upon each meter except Sundays, New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, unless otherwise provided in all areas designated by the city council. ~~No vehicles shall be parked upon any street within the parking meter area for longer than sixty (60) minutes except as otherwise designated upon the parking meter instruction plates or upon signs erected in the area.~~

Section 4. That Section 478.350 of the above-entitled ordinance be amended to read as follows:

478.350. Use of parking meter spaces.

Any vehicle parked in a metered parking space shall be parked parallel to the curb, ~~so that the foremost part of such vehicle shall be nearest to the parking meter unless otherwise indicated~~ and in a manner that such vehicle does not infringe upon another metered space. In the case of angled parking meter spaces, no person shall park any vehicle in such a manner that the same shall not be entirely within the area designated by lines or markings, and shall center the vehicle on the meter. ~~No person shall park any passenger vehicle in such a manner that such vehicle shall not be entirely between two (2) adjacent meters or meter as a parking space.~~ Trucks and other commercial vehicles using parking meters shall park in such a manner that the least number of metered spaces are occupied.

Section 5. That Section 478.360 of the above-entitled ordinance be amended to read as follows:

478.360. Duty to deposit coin or debit card; overtime parking; physically handicapped persons. (a) When a vehicle

shall be parked in a space alongside of or next to which a parking meter is located, the operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited one or more ~~appropriate~~ coins of the United States or debit card in such parking meter, and the said parking space may then be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which said parking space is located. No vehicle shall remain in any such parking space beyond the parking time limit for such parking space. If the parking meter displays a sign showing illegal parking, the vehicle shall be considered as parked overtime and such parking shall be a violation of this Code;

(b) Commercial trucks, commercial vehicles and commercial permit vehicles may use metered spaces on the public streets for loading and unloading merchandise to the abutting premises before the hour of 12:00 noon, without the deposit of a coin or debit card in the parking meter at such space, and such vehicle must load or unload centered as nearly as possible in a single metered space. In no case shall the stop for loading or unloading exceed thirty (30) minutes;

(c) Relief from liability for payment of parking fees granted to physically handicapped persons pursuant to section 478.530 and section 478.540 shall not apply where (i) time restrictions are separately posted on official signs or (ii) the time restrictions on the parking meter allow parking for not more than fifteen (15) minutes.

Section 6. That Section 478.370 of the above-entitled ordinance be amended to read as follows:

478.370. "Feeding" meters. No person shall deposit or cause to be deposited in the parking meter one or more coins or debit card for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to which said parking meter is placed.

Section 7. That Section 478.380 of the above-entitled ordinance be amended to read as follows:

478.380. Slugs prohibited. No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for coins of the United States or unapproved debit card.

Section 8. That Section 478.400 of the above-entitled ordinance be amended to read as follows:

478.400. Charge declared fee. The coins or debit card required to be deposited as provided herein are hereby levied and assessed as a fee to cover the cost of inspection and regulation, control and operation involved in the inspection, installation, operation, control and use of the parking spaces and parking meters described herein and involved in checking and regulating the parking of vehicles in the areas where parking meters have been installed.

Section 9. That Section 478.410 of the above-entitled ordinance be amended to read as follows:

478.410. Collections. The director of ~~inspections~~ licenses shall appoint some member or members of his department to make ~~daily~~ regular collections of the money deposited in said meters. The persons so designated to make such ~~daily~~ regular collections shall pick up the coins as deposited in the meters and deliver the funds so collected to a ~~bank~~ counting location to be designated by the city ~~comptroller-treasurer~~ [finance officer], said ~~bank to be one of the banks which has been~~ counting location to be designated by the city council as a depository of city funds in accordance with Section 29, Chapter 5 of the city charter. Upon such delivery the funds so delivered shall be immediately credited for deposit to the account of the city.

Section 10. That Section 478.420 of the above-entitled ordinance be amended to read as follows:

478.420. Credit to parking meter fund. The city ~~comptroller-treasurer~~ [finance officer] shall enter the amount of the funds so deposited to the credit of a fund to be known as and designated the "Parking Meter Subdivision

of the Current Expense Fund." After such delivery and deposit the city ~~comptroller-treasurer~~ {finance officer} shall have control of the funds so deposited to the same extent as he has control of the other funds of the city.

Section 11. That Section 478.430 of the above-entitled ordinance be amended to read as follows:

478.430. ~~Special permits Obstruction permits to hood meters.~~ (a) Any person, company or corporation, having a need for special use of parking meter space to promote a civic cause, ~~or allow the city to carry out police powers, provide space for construction, maintenance or delivery activities deemed proper by the city engineer,~~ shall make application to the city ~~council~~ engineer for a permit to hood said meter, or meters, for the specified period of time, not to exceed ~~ten (10) ninety (90)~~ days for each permit, and shall defray the expense to the city of the loss of the public use of the parking spaces due to the hooding. The loss to the city by reason of the hooding shall be determined by the city council in accordance with section 93.100 of this Code of Ordinances of the city based upon the hourly fee per meter charge per day at that location, and for the period of the hooding.

(b) "Hooding" of meters is the placing of ~~council~~ city engineer approved hoods that physically cover up parking meter heads. Hooding is to be carried out exclusively by the engineering public works department of the city and other authorized city representatives.

(c) Application for ~~a special an obstruction~~ permit shall be made ~~in writing~~ to the city ~~council~~ engineer's office not less than ~~thirty (30) days~~ seventy-two (72) hours prior to the effective date of such permit, and shall:

(1) State ~~therein~~ the purpose of the ~~special~~ obstruction permit.

(2) ~~The State~~ the name of the person, persons or the authorized officer of the company or corporation applying for the permit with a twenty-four (24) hour phone number.

(3) The location and number or numbers of the meter or meters.

(4) The designated fee for the issuance of the permit shall be the loss described in section 93.100, and whatever necessary costs for administration or enforcement.

The permit, certificate or insignia issued shall be prominently displayed upon the vehicle parked in the hooded meter area, and shall state thereon, the place, date, meter numbers hooded, and identification of permit holder. The permit, certificate or insignia issued may be transferred from vehicle to vehicle, but shall not be transferable to anyone other than the person or persons designated in the application.

Section 12. That Section 478.440 of the above-entitled ordinance be and is hereby repealed.

478.440. ~~Twelve-hour zone.~~ There shall be a parking meter zone, known as the ~~twelve-hour parking meter zone, which comprises an area on Grant Street between Fourth Avenue South and Marquette Avenue.~~ In this area parking meters shall be installed which will, upon deposit of five cents (\$0.05) per hour, using five-cent (\$0.05) and twenty-five-cent (\$0.25) coins, accumulative to twelve (12) hours, permit parking of motor vehicles for a period not to exceed twelve (12) hours, as indicated upon said parking meters. When such parking meters have been installed, indicating this parking meter zone, no vehicle shall remain parked at any time, except Sundays between the hours of 12:01 a.m. and 12:00 p.m., within the district or upon any of the streets described in this zone for longer than twelve (12) hours; nor shall any vehicles be parked within the zone herein described, or upon any of the streets described herein, unless there shall first be paid and deposited in the parking meter the fee provided by this section:

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a presentation on proposed plans for the Hawthorne Transportation Center (previously referred to as the Greyhound Jefferson Bus Terminal) and Municipal Parking Ramp Project, now recommends approval of the schematic design plan for said project and direction to the proper City officers to proceed with preparation of final plans and bidding.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration plans for construction of the 60th St & 1st Av S stormwater pond and the need for the Minnehaha Creek Watershed District (MCWD) to add the project to its Water Resources Management Plan, now recommends that the following comments be forwarded to the MCWD for consideration in their proposed Minor Plan Amendment that includes funding of the 60th St & 1st Av S Water Quality Detention Basin:

1. The City of Minneapolis appreciates the contribution of the Minnehaha Creek Watershed District as a partner in the 60th & 1st stormwater pond project. Together, the City and MCWD will be able to solve a serious problem of street and home flooding, as well as provide stormwater treatment for runoff that ultimately discharges to Diamond Lake.

2. At a number of locations throughout the proposed draft plan amendment, the project is described as a pond and pump station. The alternative selected by the neighborhood does not have a pump station contained in either the design or the cost estimate.

3. The section titled, "Need for the Project," mentions that serious flooding occurred in 1997. This is a true statement, but does not reflect that the problem has existed for many years, the worst year being 1997.

4. The statement regarding the logic behind MnDOT's contribution to this project is vague. Staff from MnDOT has supported this project specifically because it eliminates the need for a very expensive retaining wall between the edge of an expanded I-35W and Stevens Av S. The possibility of water quality credits from the MCWD is a secondary benefit to MnDOT.

5. The final sentence under the "Method of Financing" section reads: "The District's share of the project costs will be reduced in proportion to MnDOT's contribution." This is not how the City understands the financing to work. Staff from the Public Works Department has worked on the basis that the MnDOT contribution will reduce the City's share of the project, not the MCWD share. The City of Minneapolis requests that this sentence be deleted from the Minor Plan Amendment.

6. The project is the result of a partnership between MnDOT, MCWD, and Minneapolis. From the start the financing of this project has been based on the assumption that MCWD will contribute towards construction costs and the associated design and construction engineering as detailed in Petn No 264121 on file in the Office of the City Clerk. The actual contribution from MnDOT is still being negotiated and is likely to change. If the final contribution from MnDOT is less than estimated, the difference has to be absorbed by the City's capital funds.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET**

Committee submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 264126):

a) OP #4950, low bid meeting specifications submitted by Kennedy Scales, Inc. in the amount of \$73,356 for furnishing all labor, materials, equipment and supervision to provide and install a 40' pitless platform motor truck scale for the Public Works Solid Waste and Recycling Division;

b) OP #4941, low bid meeting specifications submitted by Knutson Construction Services, Inc. in the amount of \$15,817,500 for furnishing all labor, materials, equipment, services and incidentals necessary to accomplish the construction of the Currie Maintenance Facility; and

c) OP #4945, low bid submitted by Northern States Power Company for an estimated first year expenditure of \$279,000 for furnishing, delivering and installing lighting for the Central Neighborhood-Healy Block Extension Pedestrian Lighting Project for the Public Works Transportation Division.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the results of a Request for Proposals issued for consultant services for an operational audit of the Minneapolis Municipal Parking System, now recommends that Chance Management Advisors be selected as the consultant for said audit and that the proper City officers be authorized to enter into a contract with Chance Management Advisors for said services.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration establishment of parking lot rates and impact fees for the Lyn-Lake parking facilities, now recommends concurrence with the following recommendations of the Lyn-Lake Parking Advisory Committee:

a) Approval of the following rates for the Lyn-Lake facilities, effective October 15, 1998:

Hours	Rate
0 - 1/2	\$.50
1/2 to 1	1.00
1 to 2	1.50
2 to 3	2.00
All Day	3.00
24 Hours	5.00
Nights	2.00
Saturday	2.00
Sunday	2.00
Monthly Rate	50.00

The rates are established with special authority to use them as a guideline for the maximum to be charged at the lot while the project is in the development stages.

b) Establishment of the following impact fees to fund the trust account for the Lyn-Lake parking area, with the fee based on the appraised value of raw land in the area that has been developed as part of the property acquisition:

– \$1,610 per parking stall for a new business in the area;

– \$805 per parking stall for current businesses that have either existing licenses, permits to expand their businesses or approved plans by the City to expand as of September 1, 1998.

The impact fee structure shall be effective September 1, 1998 through August 31, 1999.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a request from the Hale, Page & Diamond Lake Community Association for installation of a pedestrian flasher on Portland Av S between E 58th and 59th St, now recommends that the proper City officers be authorized to install a pedestrian crosswalk with flasher near 5760 Portland Av (Diamond Lake Church), the cost of which shall be reimbursed from Neighborhood Revitalization Program (NRP) funds.

Your Committee further recommends passage of the accompanying resolution appropriating \$7,000 to the PW –Transportation Capital Agency to provide funds for said improvements.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-337

By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$7,000 and increasing the revenue source (4100-943-9440 – Source 3845) by \$7,000 for installation of a pedestrian crossing/flasher at 5760 Portland Av, to be reimbursed by Hale, Page, Diamond

Lake Neighborhood Revitalization Program funds.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Midtown Greenway Project – Phase I and cost sharing agreement between the Hennepin County Regional Railroad Authority, Hennepin County Community Works and the City, now recommends that said agreement be amended to reflect an increase in the amount of funding to be provided by Hennepin Community Works from \$962,000 to an amount not to exceed \$962,500.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a request to increase the capital appropriation for the Sidewalk Department due to changes in accounting practice and additional workload, and a request to increase the contract amount with the City's two sidewalk contractors to allow for additional storm damage work, now recommends:

a) Passage of the accompanying resolution appropriating \$520,000 to the PW – Streets & Malls Capital Agency to provide additional funds for the 1998 construction season, all of which will be reimbursed through billing and/or assessments;

b) That the proper City officers be authorized to increase Contract C98-12671 with Standard Sidewalk by \$460,000, for a revised total of \$1,224,111; and

c) That the proper City officers be authorized to increase Contract #C98-12603 with Gunderson Brothers by \$360,000, for a revised total of \$764,870.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 24, 1998)

RESOLUTION98R-338
By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$520,000.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Shingle Creek Stormwater Wetland Project which will commence in September of 1998, now recommends passage of the accompanying resolution appropriating \$1,579,480 to the PW – Sewer Construction Capital Agency to provide funding which will allow said project to proceed, all of which will be reimbursed by the City of Brooklyn Center.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION98R-339
By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Sewer Construction Capital Agency in the Permanent Improvement Projects Fund (4100-932-9322) by \$1,579,480.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Midtown Greenway and Kenilworth Trail projects, now recommends that the proper City officers be authorized to enter into the following agreements regarding bicycle trail liability:

- a) An amendment to Agreement #A09779 with the Hennepin County Regional Railroad Authority (HCRRA), amending Page 3, Section on Premises, by changing 35 feet to 41.5 feet;
- b) A permit agreement with the Canadian Pacific Railway to construct and operate a bike/pedestrian trail on the Midtown Greenway, including liability to the City; and
- c) Accepting liability for the bike/pedestrian trail on the Kenilworth Trail as part of the HCRRA permit agreement to construct and operate a bike/pedestrian trail.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration the Flood Mitigation Program and a request to advance construction of a storm drain and grit chamber between Lake Calhoun and Excelsior Boulevard in order to coordinate the project with development of the Calhoun Commons project, now recommends passage of the accompanying resolutions amending the 1998-2002 Capital Improvement Program to advance to 1998 the Chain of Lakes Grit Chamber Project (PS09 in 1999 budget) and the Excelsior Boulevard Storm Drain Project (PS09 in 2000 budget).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-340

By Mead and Campbell

Amending Resolution 97R-399 entitled, "Requesting the Board of Estimate and Taxation to incur indebtedness and issue

and sell City of Minneapolis bonds in the amount of \$4,235,000 for certain purposes other than the purchase of public utilities", passed December 11, 1997.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by increasing the total amount of City of Minneapolis bonds by \$905,000, to a new total of \$5,140,000, and that the project list be amended by the addition of the Excelsior Boulevard Storm Drain and Grit Chamber Project (formerly PS08 and PS09) and that the Storm Water, Sewer, and Flood Mitigation Program be so amended for 1998 construction.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-341

By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Sewer Construction Capital Agency in the Sewer Rental Fund (7300-9322) by \$935,000, to reflect the addition of the Excelsior Boulevard Storm Drain and Grit Chamber project to the 1998 Flood Mitigation Program. Reimbursement in the amount of \$30,000 shall be received from the Minnehaha Creek Watershed District.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration improvements planned for Zenith Av from the Minikahda Golf Course to 34 ½ St W/Rose Lane (Special Improvement of Existing Street No. 2898), now

recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed, revising the proposed special assessments and adopting the revised special assessments for the 1998 Street Paving Program, Special Improvement of Existing Street No. 2898;
 - b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$14,000 for certain purposes other than the purchase of public utilities;
 - c) Requesting the Board of Estimate and Taxation to concur in the reallocation of bond funds from the 1998 Street Renovation Program to the 1998 Street Paving Program; and
 - d) Appropriating \$14,000 to the PW – Streets & Malls Capital Agency representing the assessed portion of the 1998 Street Paving Program.
- Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 18, 1998. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.
(Published September 22, 1998)

**RESOLUTION 98R-342
By Mead and Campbell**

**1998 STREET
PAVING PROGRAM
SPECIAL IMPROVEMENT
OF EXISTING STREET
NO 2898 (ZENITH AV S)**

Ordering the work to proceed, revising the proposed special assessments and adopting the revised special assessments for the 1998 Street Paving Program.

Whereas, a public hearing was held on September 10, 1998 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 98R-297 passed August 14, 1998, to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 98R-297 passed August 14, 1998.

Be It Further Resolved that the proposed special assessments in the total amount of \$30,891.28 as on file in the Office of the City Clerk be and hereby are revised to \$13,937.73 and are adopted and assessed against the benefited properties as revised herein.

Be It Further Resolved that the number of successive equal annual principal installments by which the revised special assessments of more than \$100 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for in 1998 with collection of the special assessments to begin on the 1999 real estate tax statements.

Be It Further Resolved that the number of installments by which the revised special assessments of \$100 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for in 1998 with collection of the special assessments on the 1999 real estate tax statements.

Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
J. Cherryhomes, President of Council.
Approved September 18, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.
(Published September 22, 1998)

**RESOLUTION 98R-343
By Mead and Campbell**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$14,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Zenith Av S Paving Project, Special Improvement of Existing Street No 2898, to be assessed against benefited properties as estimated by the City Council,

which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

RESOLUTION 98R-344

By Mead and Campbell

Requesting the Board of Estimate and Taxation to concur in the reallocation of bond funds.

Resolved by The City Council of the City of Minneapolis:

That Net Debt Bonds sold for the 1998 Street Renovation Program in the amount of \$116,000 be reallocated to fund the City portion of the costs of the 1998 Street Paving Program and that the Board of Estimate and Taxation be requested to concur in said reallocation.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

RESOLUTION 98R-345

By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Streets & Malls Agency in the Permanent Improvement Projects Fund (4100-937-9372) by \$14,000 and increasing the revenue source (4100-937-9372 – Source 3880) by \$14,000 for the assessed portion of the costs of the 1998 Street Paving Program.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

The WAYS & MEANS/BUDGET

Committee submitted the following reports:

W&M/Budget – Your Committee, having under consideration the Portland Place Project, a mixed-income, owner-occupied housing development project along Portland Avenue South between 26th and 28th Streets, and having held a public hearing thereon, now recommends that the proper City officers be authorized to submit a Section 108 Loan Guarantee Application, in the amount of \$955,000, to the United States Department of Housing and Urban Development on behalf of said Portland Place Project.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a 1998 budget decision package from the Minneapolis Telecommunications Network (MTN) for refurbishment of the MTN playback facility, in the amount of \$52,300, now recommends approval of said decision package.

Your Committee further recommends passage of the accompanying resolution increasing the Communications Agency Appropriation by \$52,300.

Minn moved that the report be referred back to the Ways & Means/Budget Committee. Seconded.

Lost. Yeas, 1; Nays, 11 as follows:

Yeas – Minn.

Nays – Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Johnson, Thurber, Ostrow, Cherryhomes.

Absent – McDonald.

The report was adopted.

Yeas, 11; Nays, 1 as follows:

Yeas – Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Johnson, Thurber, Ostrow, Cherryhomes.

Nays – Minn.

Absent – McDonald.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-346
By Campbell

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City
of Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing
the appropriation for the Communications
Agency in the General Fund (0100-800-8041)
by \$52,300.

Yeas, 11; Nays, 1 as follows:

Yeas – Campbell, Biernat, Niland,
Goodman, Colvin Roy, Herron, Mead, Johnson,
Thurber, Ostrow, Cherryhomes.

Nays – Minn.

Absent – McDonald.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee
recommends that the proper City officers be
authorized to negotiate and execute a contract
with J&H Marsh & McLennan, Inc. and Premier
RiskTech Services to provide broker services
for an Owner-Controlled Insurance Program,
for the period from October 1, 1998 to the end
of the project, in an amount not to exceed
\$330,000, payable from Permanent
Improvement Projects – Convention Center
Site (4100-975-9751).

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having
under consideration mid-year budget technical
amendments relating to the Capital Program,
now recommends passage of the following
Resolutions to implement said amendments:

a) Requesting that Resolution 97R-394
(requesting that the Board of Estimate &
Taxation incur indebtedness and issue and sell
City of Minneapolis bonds, in the amount of
\$16,500,000, for certain purposes other than
the purchase of public utilities), be amended;
and

b) Amending The 1998 Capital
Improvement Appropriation Resolution to
include two additional footnotes.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-347
By Campbell

**Requesting that Resolution 97R-394
(requesting that the Board of Estimate &
Taxation incur indebtedness and issue and
sell City of Minneapolis bonds, in the
amount of \$16,500,000, for certain purposes
other than the purchase of public utilities),
be amended.**

Resolved by The City Council of The City
of Minneapolis:

That the above-entitled resolution be
amended by increasing the amount shown
under HS01 Police Precinct No. 5 from
\$1,045,000 to \$1,320,000, increasing the total
amount from \$16,500,000 to \$16,775,000.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-348
By Campbell

**Amending The 1998 Capital
Improvement Appropriation Resolution.**

Resolved by The City Council of The City
of Minneapolis:

That the above-entitled resolution, as
amended, be further amended by including the
following two additional footnotes:

1) That the Convention Center Completion Project is exempt from the 3.5% overhead charge. This is consistent with the financing plan and presentations that were made at the State relating to this project; and

2) That the project manager, when authorized to enter appropriate contracts, may do so within the scope of the project's Council-approved project budget. The bond funds for a contract do not need to be on hand to enter into the contract. The bond funding is timed to be available for the disbursement timelines.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the proposed schedule for City Council policy committees to review Priorities '99 initiatives and to provide comments to the mayor (by referral to the Ways & Means/Budget Committee meeting of October 13, 1998 for Council adoption on October 16, 1998), with said comments to be used by the Mayor during 1999 budget decision-making, now recommends approval of the following schedule for committee review:

Committee Cycle 1: Beginning September 21, 1998 with Community Development and ending September 29, 1998 with Ways & Means/Budget; and

Committee Cycle 2: Beginning October 5, 1998 and ending October 13, 1998.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request for temporary City funding for construction of the Mona H. Moede Neighborhood Early Learning Center (NELC) to enable construction to begin during the fall of 1998 and be completed by commencement of the 1999 school year, in the amount of \$3,000,000, now recommends

approval to provide said funding, with a direction to staff to identify the appropriate funding source, to be reimbursed upon completion of the related capital campaign.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the 1999 City Council Calendar, now recommends that said calendar, as shown in Petn No 264131 be sent forward without recommendation.

Campbell moved to amend the report by deleting the language, "sent forward without recommendation," and inserting in lieu thereof, the language, "approved, as revised." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having received a report from the Director of Human Resources with the results of a reclassification study for five appointed positions in the Health Department, now recommends approval of the following changes:

a) Commissioner of Health – Grade 16, 1998 salary range of \$86,699 to \$95,825;

b) Director, Planning and Administration – Grade 12, 1997 salary range of \$64,887 to \$71,718, retroactive to August 15, 1997;

c) Director, Programs and Services – Grade 12, 1997 salary range of \$63,708 to \$70,414, retroactive to August 15, 1997;

d) Director, Research – Grade 12, 1998 salary range of \$64,091 to \$70,838; and

e) Director, Policy and Advocacy – Grade 12, 1998 salary range of \$64,091 to \$70,838, with the incumbent's salary to be frozen at the current rate until it reaches the new salary schedule.

Your Committee further recommends passage of the accompanying Salary Ordinance to provide the salary range for said positions, for the period from August 15, 1997 through December 31, 2000.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-097
By Campbell
1st & 2nd Readings: 9/18/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to
Administration: Personnel**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed (CAP)

Effective August 15, 1997

FLSA	OTC	CLASSIFICATION	START	YEAR 1	YEAR 3	YEAR 6
ADD:						
E	1	Commissioner of Health	\$84,584	89,036	91,707	93,488
E	1	Director, Planning and Administration	\$64,887	68,302	70,351	71,718
E	1	Director, Programs and Services	\$63,708	67,061	69,073	70,414
E	1	Director, Research	\$62,528	65,819	67,794	69,110
E	1	Director, Policy and Advocacy	\$62,528	65,819	67,794	69,110

Section 2: That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed (CAP)

Effective January 1, 1998

FLSA	OTC	CLASSIFICATION	START	YEAR 1	YEAR 3	YEAR 6
ADD:						
E	1	Commissioner of Health	\$86,699	91,262	94,000	95,825
E	1	Director, Planning and Administration	\$66,509	70,010	72,110	73,511
E	1	Director, Programs and Services	\$65,301	68,738	70,800	72,174
E	1	Director, Research	\$64,091	67,464	69,489	70,838
E	1	Director, Policy and Advocacy	\$64,091	67,464	69,489	70,838

Section 3: That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed (CAP)

Effective January 1, 1999

FLSA	OTC	CLASSIFICATION	START	YEAR 1	YEAR 3	YEAR 6
ADD:						
E	1	Commissioner of Health	\$88,866	93,544	96,350	98,221
E	1	Director, Planning and Administration	\$68,172	71,760	73,913	75,349
E	1	Director, Programs and Services	\$66,934	70,456	72,570	73,978
E	1	Director, Research	\$65,693	69,151	71,226	72,609
E	1	Director, Policy and Advocacy	\$65,693	69,151	71,226	72,609

Section 4: That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed (CAP)

Effective January 1, 2000 (a)

FLSA	OTC	CLASSIFICATION	START	YEAR 1	YEAR 3	YEAR 6
ADD:						
E	1	Commissioner of Health	\$91,088	95,883	98,759	100,677
E	1	Director, Planning and Administration	\$69,876	73,554	75,761	77,233
E	1	Director, Programs and Services	\$68,607	72,217	74,384	75,827
E	1	Director, Research	\$67,335	70,880	73,007	74,424
E	1	Director, Policy and Advocacy	\$67,335	70,880	73,007	74,424

Appointed (CAP)

Effective January 1, 2000 (b)**

FLSA	OTC	CLASSIFICATION	START	YEAR 1	YEAR 3	YEAR 6
ADD:						
E	1	Commissioner of Health	\$91,532	96,350	99,241	101,168
E	1	Director, Planning and Administration	\$70,217	73,913	76,130	77,609
E	1	Director, Programs and Services	\$68,942	72,570	74,747	76,197
E	1	Director, Research	\$67,664	71,226	73,363	74,787
E	1	Director, Policy and Advocacy	\$67,664	71,226	73,363	74,787

** Schedule "b" above, shall be in effect should the City's general fund revenue increase more than 3% for the year 2000 over the 1999 general fund revenue.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the responsibility of the City, the Minneapolis Community Development Agency (MCDA), and Hennepin County to coordinate assistance to community-based organizations applying for McKinney Homeless Assistance funding, now recommends acceptance of funds from the MCDA and Hennepin County, in the amount of \$1,932, and further recommends an increase in appropriation of \$966 to Grants and Special Projects for their equal portion of the independent contractor's fee for meeting facilitation services, for a total of \$2,898.

Your Committee further recommends passage of the accompanying resolution increasing the Communications Agency Appropriation by \$2,898.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-349

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Communications Agency in the General Fund (0100-800-8031) by \$2,898 and increasing the Communications Agency revenue estimate in the General Fund, as follows:

a) increasing (0100-800-8031-Source 3220) by \$966; and

b) increasing (0100-127-1270-Source 3815) by \$966.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid meeting specifications received on OP #4942, submitted by Knutson Construction, in the amount of \$7,290,000, for furnishing all labor, materials, equipment, services and incidentals necessary to accomplish the construction of the Convention Center Parking Facility.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said project, all in accordance with specifications prepared by Walker Parking Consultants.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request from the Minneapolis Center for Energy and Environment to include in the City's October, 1998 utility billings certain messages relating to low-income weatherization, below-market energy and home-improvement loans, now recommends approval for said inclusion.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Special School District #1 for the City to provide curfew truancy services, for the period from July 1, 1997 through June 30, 1999, and further recommends acceptance of funds for said services, in the amount of \$55,000.

Your Committee further recommends that the proper City officers be authorized to execute a contract with Hennepin County for the City to provide curfew truancy services, for the period from July 1, 1997 through June 30,

1999, and further recommends acceptance of funds for said services, in the amount of \$59,883.

Your Committee further recommends passage of the accompanying resolutions:

a) increasing the Neighborhood Services Agency Appropriation by \$55,000 (from Special School District #1); and

b) increasing the Neighborhood Services Agency Appropriation by \$59,883 (from Hennepin County).

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-350

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund (0600-860-8605) by \$55,000 and increasing the Neighborhood Services revenue estimate in the Grants – Other Fund (0600-860-8605-Source 3720) by \$55,000.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-351

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund

(0600-860-8605) by \$59,883 and increasing the Neighborhood Services revenue estimate in the Grants – Other Fund (0600-860-8605-Source 3220) by \$59,883.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having approved execution of an agreement with the Minnesota Department of Economic Security to receive Welfare-to-Work funds, now recommends acceptance of said funds, in the amount of \$2,067,000.

Your Committee further recommends passage of the accompanying resolution increasing the Neighborhood Services Agency Appropriation by \$2,067,000.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-352

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund (0300-860-8600) by \$2,067,000 and increasing the Neighborhood Services revenue estimate in the Grants – Other Fund (0300-860-8600-Source 3210) by \$2,067,000.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 30, 1999)

W&M/Budget – Your Committee recommends acceptance of State Youth Works funds to assist in providing service learning activities for area residents in schools, parks and community centers, in the amount of \$30,796.

Your Committee further recommends that the proper City officers be authorized to execute the required grant agreement with the State Department of Economic Security.

Your Committee further recommends passage of the accompanying Resolution increasing the Neighborhood Services Agency Appropriation by \$30,796.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-353
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund (0600-860-8600) by \$30,796 and increasing the revenue estimate in the Grants – Other Fund (0600-860-8600-Source 3215) by \$30,796.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of Federal Americorps funds to assist in providing service learning activities for area residents in schools, parks and community centers, in the amount of \$111,341.

Your Committee further recommends that the proper City officers be authorized to execute the required grant agreement with the State Department of Economic Security.

Your Committee further recommends passage of the accompanying Resolution increasing the Neighborhood Services Agency Appropriation by \$111,341.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-354
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Other Fund (0300-860-8600) by \$111,341 and increasing the revenue estimate in the Grants – Other Fund (0300-860-8600-Source 3210) by \$111,341.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Republished October 24, 1998)

W&M/Budget – Your Committee, having approved by Council Action of August 14, 1998 the Salary Ordinance for the Executive Director of the Civilian Police Review Authority (CPRA), and further having approved payment of taxes and pension costs, in the amount of \$51,151.01, plus interest assessed on prior years' pension contributions, now recommends that the request for a resolution increasing the CPRA Agency by \$30,000 be deferred to the third quarter budget review.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the Lyndale Gateway Project and an agreement with the Minneapolis Community Development Agency (MCDA) to assist with said project, in the amount of \$12,500, now recommends passage of the accompanying resolution increasing the Planning Department Agency Appropriation by \$12,500, as reimbursement to the Planning Department for project administration.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-355
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the General Fund (0100-380-3820) by \$12,500 and increasing the Planning Department Agency revenue estimate in the General Fund (0100-127-1270-Source 3870) by \$12,500, to be reimbursed by MCDA.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the Longfellow – Minnehaha Corridor Study and the need to reimburse the Planning Department (as project administrator), now recommends passage of the accompanying resolution increasing the Planning Department Agency Appropriation by \$24,000, to be reimbursed by Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-356
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the General Fund (0100-380-3820) by \$24,000 and increasing the Planning Department Agency revenue estimate in the General Fund (0100-127-1270-Source 3840) by \$24,000, to be reimbursed by NRP funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the Excelsior Boulevard Study and the need to reimburse the Planning Department (as project administrator), now recommends passage of the accompanying resolution increasing the Planning Department Agency Appropriation by \$24,500, to be reimbursed by Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-357
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing

the appropriation for the Planning Department Agency in the General Fund (0100-380-3820) by \$24,500 and increasing the Planning Department Agency revenue estimate in the General Fund (0100-127-1270-Source 3840) by \$24,500, to be reimbursed by NRP funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the McKinley Neighborhood Plan and the need to reimburse the Planning Department (as project administrator), now recommends passage of the accompanying resolution increasing the Planning Department Agency Appropriation by \$20,000, to be reimbursed by Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-358

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Planning Department Agency in the General Fund (0100-380-3820) by \$20,000 and increasing the Planning Department Agency revenue estimate in the General Fund (0100-127-1270-Source 3840) by \$20,000, to be reimbursed by NRP funds.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends amending the Information and Technology Services (ITS) Master Contract Pilot Program to authorize the proper City officers to:

a) execute master contracts for information and technology services, in an amount not to exceed \$2,000,000 for each particular vendor;

b) expend funds under each contract for an individual scope of work, in an amount not to exceed \$200,000; and

c) determine whether the scope of work services will be purchased by means of an invoice or a purchase order.

Your Committee further recommends that the proper City officers be authorized to execute Amendment #1 to the following existing contracts, in accordance with above amendments: 1) On-Demand Group; 2) Born Information Services; 3) Management Systems Solutions; 4) Keane; 5) Computer Sciences Corporation; 6) Labyrinth Consulting, Inc; 7) EPIC USA; 8) Hollstedt & Associates, Inc; 9) TEK Systems, Inc; 10) The Macro Group, Inc; and 11) Corlabs, Inc.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a lease agreement with management of the Midland Square Building for suitable office space for the City's Year 2000 Project Team, for the period from October 1, 1998 through September 30, 1999, in the amount of \$40,440, and from October 1, 1999 through September 30, 2000, in the amount of \$42,462, payable from the Permanent Improvement Projects Fund – Strategic Information Systems Project Planning (4100-972-A880).

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Mayor to appoint/reappoint the following persons to serve on the Minneapolis Commission on Civil Rights for three-year terms to expire August 31, 2001:

- a) Leanne M. Baylor, 4359 Sheridan Av S, Ward 4 (appointment);
- b) Anita L. Urvina Selin, 4101 France Av S, Ward 13 (appointment);
- c) Jean Leake, 3015 Portland Av S, Ward 8 (reappointment);
- d) Apur Patel, 4101 Sheridan Av S, Ward 13 (reappointment);

Your Committee further recommends concurrence with the Mayor to appoint the following person to serve on said Commission for the remainder of a three-year term to expire August 31, 2000:

- e) John Sugimura, 3421 Dupont Av S, Ward 10 (replacing James Carlson Otero);

Your Committee further recommends concurrence with the Mayor to appoint the following persons to serve on said Commission for the remainder of three-year terms to expire August 31, 1999:

- f) Georgina Jerricks, 1900 Vincent Av N, Ward 5, replacing Dianne Marsh;
- g) Alan Hooker, 2015 Central Av NE, Ward 1, replacing Ophelia G. Balcos.

Adopted. Yeas, 11; Nays none.

Absent – McDonald, Cherryhomes.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the City Council to reappoint the following person to serve on the Minneapolis Commission on Civil Rights for a three-year term to expire August 31, 2001:

- Brenda Reid, 2225 5th Av N, Ward 5 (reappointment).

Your Committee further recommends that the following applicants for two City Council appointments to said Commission for three-year terms to expire August 31, 2001 be sent forward without recommendation:

- a) Annamichele B. Spears, 3925 3rd Av S, Ward 8;
- b) Nick Granath, 4204 Ewing Av S, Ward 13;

- c) Leon Rice, 1819 Nicollet Av S, #100, Ward 6;
- d) Elizabeth Dee Moore, 3215 15th Av S, Ward 9;
- e) Dawn Madland, 3852 Harriet Av S, Ward 10;
- f) Warner Jackson, 66 S 12th St, #502, Ward 1;
- g) Gina Lynn-Kaur Kundan, 4025 4th Av S, Ward 8;
- h) Felicitas Maria Sokec, 529 7th St S, #335, Ward 7;
- i) Philip A. Duran, 2219 Garfield Av S, #101, Ward 6;
- j) April L. Schwartz, 3832 Thomas Av S, Ward 13;
- k) Frank Harris, 2955 Newton Av N, Ward 5;
- l) Janet Court, 1216 Powderhorn Terrace, #13, Ward 9;
- m) Steven Lieske, 3030 48th Av S, Ward 12.

Campbell moved to amend the report by deleting the language beginning, "sent forward without recommendation," and inserting in lieu thereof, the language, "approved:

- a) Annamichele B. Spears, 3925 3rd Av S, Ward 8; and
- b) Steven Lieske, 3030 48th Av S, Ward 12." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – McDonald, Cherryhomes.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration clean-up of the Schnitzer Iron and Metal site, in partnership with the City of St. Paul and the University of Minnesota, now recommends approval and confirmation of the City's acceptance of cost recovery monies from the potentially responsible parties (PRP), group, in the amount of \$1,000,000, with the understanding that the City's portion of the money recovered will be used to reduce the tax increment financing (TIF) obligation.

Adopted. Yeas, 12; Nays none.

Absent – Biernat.

Passed September 18, 1998.

Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to the legal services agreement with Burstein, Hertogs & McFarland, to identify the effective date of said agreement as January 26, 1998.
Adopted. Yeas, 12; Nays none.
Absent – Biernat.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

The **Zoning & Planning** Committee submitted the following reports:

Z&P – Your Committee, to whom was referred without recommendation by the Board of Adjustment the application of Robert Feller (V-4345) for (1) variation of front yard from 47 feet (house to the north) to 38.5 feet and (2) variation of south side yard from 6 feet to 1 foot to permit a 22 foot by 22 foot detached garage to be located between the front of the dwelling and the front lot line at 5344 Penn Av S, now recommends that said application be granted upon condition that the existing driveway be removed alongside the main house to the rear of the front porch, in accordance with the findings of fact on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 264145)
Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Lynne and John Shepardson (V-4331) from the decision of the Board of Adjustment denying their request for a 50 foot driveway from the rear lot line to the garage door at 5508 Stevens Av S, now recommends that the appeal be granted in accordance with the findings of fact on file in the Office of the City Clerk and made a part of this report by reference, notwithstanding the decision of the Board of Adjustment. (Petr No 264145)
Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Holiday Stationstores, Inc for a waiver from Interim Ordinance 98-Or-083, providing for a moratorium on the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district, passed August 14, 1998, to allow demolition and redevelopment of the existing Holiday Station at 2108-2124 E Franklin Av, now recommends that the related findings prepared by the Planning Department staff and set forth in Petr No 264148 be approved that said waiver be granted, all in accordance with the findings of fact on file in the Office of the City Clerk and made a part of this report by reference.
Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Mostafa Chartraei for a waiver from Interim Ordinance 98-Or-083, providing for a moratorium on the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district, passed August 14, 1998, to allow the re-establishment of an automobile repair garage at 3446 Bloomington Av S, now recommends that the related findings prepared by the Planning Department staff and set forth in Petr No 264148 be approved and that said waiver be granted upon condition that no parking be permitted east of the building during nights and weekends and that parking be permitted south and west of the building at all times, in accordance with the findings of fact on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petition of Hillcrest Development (Vac #1245 & 1246) to vacate Traffic St between Roosevelt St NE and Stinson Boulevard and a portion of the Stinson Boulevard right-of-way adjacent to the west side of the property at 323 Stinson Boulevard so that they may become part of the applicant's proposed high-tech office/assembly campus, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264149 and to grant said vacations, subject to retention of easement rights by NSP, Minnegasco and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolutions vacating said street and right-of-way.

Your Committee further recommends summary publication of the accompanying resolutions.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-359, vacating the Easterly portion of Stinson Boulevard between Traffic Street and Stinson Boulevard (Vac 1245) and granting an easement to the City of Minneapolis, was passed by the City Council on September 18, 1998 and approved by the Acting Mayor on September 22, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-359
By McDonald

Vacating the Easterly portion of Stinson Boulevard between Traffic Street and Stinson Boulevard (Vac 1245).

Resolved by The City Council of The City of Minneapolis:

That all that part of the Westerly portion beyond Lot 10 (56' wide at the South/48' wide at the North) extending from Traffic Street Northeast to Stinson Boulevard is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis: All of the to be vacated street.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-360, vacating Traffic Street between Stinson Boulevard and Roosevelt Street Northeast (Vac 1246) and granting easements to Northern States Power, Minnegasco and the City of Minneapolis, was passed by the City Council on September 18, 1998 and approved by the Acting Mayor on September 22, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-360

By McDonald

Vacating Traffic Street between Stinson Boulevard and Roosevelt Street Northeast (Vac 1246).

Resolved by The City Council of The City of Minneapolis:

That all that part of Traffic Street lying between the East line of Stinson Boulevard and the West line of Roosevelt Street Northeast is hereby vacated except that such vacation shall not affect the existing easement right and authority of NSP, Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to NSP, Minnegasco and the City of Minneapolis: All of the vacated street.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Matthew Zimmerman dba Wild Sound (P-1038) to rezone property at 2400 2nd St NE from the B3-1 district to the B3S-1 to permit a recording studio, now concurs in the recommendation of the Planning Commission to approve the application, notwithstanding staff recommendation to deny, and to adopt the following findings, as required by the Zoning Code:

1. The same as finding 1 of the staff report set forth in Petn No 264149.
 2. The same as finding 2 of the staff report.
 3. The current parcel size of 6700 square feet is too small for many of the other B3S uses to locate there if the proposed use is not successful. The applicant indicates that he is a long-term use. The proposed new remapping for the site is C1 that will protect the area from unwanted uses. Technology for recording studios has changed so that noise is no longer an issue.
 4. See number 3 above.
 5. The same as finding 5 of the staff report.
- Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance. (63844)
Adopted. Yeas, 13; Nays none.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-098

By McDonald

1st & 2nd Readings: 9/18/98

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 7, Block 14, B.S. Wright's Addn. to Mpls (2400 2nd St. N.E. – Plate 9) to the B3S-1 District.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998. J. Cherryhomes, President of Council.
Approved September 22, 1998. J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code:

a. Marc Rood – Application to display inflatables on Metrodome Plaza during University of Minnesota Gopher events, upon condition that the inflatables are removed between games (#1998-187);

b. Lanniray Jordan – Application for variation from 1' to 4" from back of garage and 1" from eaves to correct construction error and allow addition to detached garage to remain at 3015 Colfax Av S (#1998-176); and

c. Church of Annunciation – Application to install 8 sandwich board signs on street sign poles at various locations to advertise church festival at 509 W 54th St (#1998-178).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Schad Tracy Signs for special permit to remove an existing pylon and install a new 11' 6" x 11' 2" pylon at 615 W 53rd St, now recommends approval upon condition that the illumination be restricted to retail hours of operation of the zoning district in which the sign is located if complaints are received from numerous affected neighbors (#1998-186).

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the variance (V-4225) granted to Choice Wood Co and Lyndale Neighborhood Development Corp by the Board of Adjustment permitting the south setback at 3044 Pillsbury Av S to be 9'4", and further having under consideration the application of Choice Wood for a special permit to change said variance to 7'4" due to the discovery of an underground obstruction requiring foundation to be moved 2' further south, now recommends approval of said special permit, notwithstanding the Zoning Code.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the Development Objectives for the Near Northside and the accompanying staff report set forth in Petn No 264147, now recommends adoption of (a) the Objectives, (b) the concept map and Framework themes and their associated characteristics as set forth in the Objectives, and (c) the amendments and additional characteristics set forth in the staff report.

Further, your Committee concurs in the recommendation of the Planning Commission that the Basset Creek Valley Study or an affiliated group undertake to define land use and development objectives within each of the three broad development objectives in Bassett Creek Valley.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petitions of the Minneapolis School District to vacate various streets and alleys to permit the new Perkins Hill K-8 public school and playground, as listed below,

- Vac 1238 33rd Av N bounded by 3rd and 4th Sts N;
- Vac 1239 Alley bounded by 33rd and 34th Aves N and 3rd and 4th Sts N;
- Vac 1240 Alley bounded by Lowry and 33rd Aves N and 3rd and 4th Sts N;
- Vac 1241 Portion of 34th Av N bounded by 3rd and 4th Sts N;
- Vac 1242 Portion of 3rd St N bounded by Lowry and 34th Aves N;

now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 264149 and to approve the vacations, subject to retention of easements by Minnegasco and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolutions vacating said streets and alleys.

Your Committee further recommends summary publication of the accompanying resolutions.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

Resolution 98R-361, vacating 33rd Avenue North between 3rd and 4th Streets North (Vac 1238) and granting an easement to the City of Minneapolis, was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-361
By McDonald

Vacating 33rd Avenue North between 3rd and 4th Streets North (Vac 1238).

Resolved by The City Council of The City of Minneapolis:

That all that part of 33rd Avenue North lying Easterly of a line drawn from the Northwest corner of Lot 14, Block 31, Baker's 4th Addition to Minneapolis, to the Southwest corner of Lot 7, Block 19, said Baker's 4th Addition to Minneapolis and lying Westerly of a line drawn from the Northeast corner of Lot 1, said Block 31, to the Southeast corner of Lot 6, said Block 19; according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis: A 30 foot wide sewer easement, over, under, and through the north 15 feet of the south one half and the south 15 feet of the north one half of 33rd Avenue North, lying between the west line of 3rd Street North and the east line of 4th Street North for the entire vacated portion.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within

the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-362, vacating the North/South alley between 3rd and 4th Streets North and 33rd and 34th Avenues North (Vac 1239), was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-362

By McDonald

Vacating the North/South alley between 3rd and 4th Streets North and 33rd and 34th Avenues North (Vac 1239).

Resolved by The City Council of The City of Minneapolis:

That all that part of the North/South alley as platted in Block 6 and Block 19, Baker's 4th Addition to Minneapolis, lying Northerly of a line drawn from the Southwest corner of Lot 6, said Block 19, to the Southeast corner of Lot 7, said Block 19, and lying Southerly of a line drawn from the Northwest corner of Lot 1, said Block 6, to the Northeast corner of Lot 14, said Block 6; according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-363, vacating the North/South alley between 3rd and 4th Streets North and Lowry and 33rd Avenues North (Vac 1240), was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-363

By McDonald

Vacating the North/South alley between 3rd and 4th Streets North and Lowry and 33rd Avenues North (Vac 1240).

Resolved by The City Council of The City of Minneapolis:

That all that part of the North/South alley as platted in Block 31, Baker's 4th Addition to Minneapolis, lying Northerly of the Easterly extension of a line drawn 24.00 feet North of and parallel with the Southerly line of Lot 8, said Block 31; according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-364, vacating a portion of 34th Avenue North (Vac 1241) and granting easements to Minnegasco and the City of Minneapolis, was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-364

By McDonald

**Vacating a portion of 34th Avenue North
(Vac 1241).**

Resolved by The City Council of The City of Minneapolis:

That all that part of 34th Avenue North lying easterly of a line drawn parallel with and a distance of 209.00 feet from the east right of way of 4th Street North and west right of way line of 3rd Street North is hereby vacated except that such vacation shall not affect the existing easement right and authority of Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco: An easement on all of 34th Avenue North.

As to the City of Minneapolis: A 30 foot wide water main easement, over, under, and through the south 5 feet of the north one half and the north 25 feet of the south one half of 34th Avenue North, lying between the east line of 3rd Street North and the west line of 4th Street North for the entire vacated portion; and, a 20 foot wide water main easement, over, under, and through the south 15 feet of the north one half and the north 5 feet of the south one half of 34th Avenue North, lying between the east line of 3rd Street North and the west line of 4th Street North for the entire vacated portion.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-365, vacating a portion of 3rd Street North (Vac 1242), and granting easements to Minnegasco and the City of Minneapolis, was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-365

By McDonald

**Vacating a portion of 3rd Street North
(Vac 1242).**

Resolved by The City Council of The City of Minneapolis:

That all that part of 3rd Street North lying Northerly of the Easterly extension of a line drawn 23.00 feet North of and parallel with the Southerly line of Lot 4, Block 31, Baker's 4th Addition to Minneapolis and lying Southerly of the Easterly extension of the Southerly line of "Perkins Hill Addition to Minneapolis;" according to the plats thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco: The East half of 3rd Street North lying northerly of the easterly extension of the south right of way line of 33rd Avenue North and lying southerly of the south right of way line of 34th Avenue North; and, all of 3rd Street North lying southerly of the south right of way line of 33rd Avenue North and north of the easterly extension of the south line of Lot 2, Block 31, Baker's 4th Addition to Minneapolis; and, The west half of 3rd Street North lying southerly of the easterly extension of the south line of Lot 2, Block 31, Baker's 4th Addition to Minneapolis, and lying northerly of a line drawn 23.00 feet North of and parallel with the southerly line of Lot 4, said Block 31, Baker's 4th Addition to Minneapolis.

As to the City of Minneapolis: A 30 foot wide water main easement, over, under, and through the west 5 feet of the east one half and the east 25 feet of the west one half of 3rd Avenue North, lying between the North line of 32nd Avenue North and the north line of 34th Avenue North for the entire vacated portion; and Sewer easement over, under, and through the entire portion of vacated 3rd Avenue North.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998. J. Cherryhomes, President of Council.

Approved September 18, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petitions of the Minneapolis School District to vacate various streets and alleys to permit the new Jordan Park Area K-8 public school and playground, as listed below,

Vac 1235 Irving Av N between 29th and 30th Avs N;

Vac 1236 Alley bounded by 29th and 30th Avs N and Irving and Humboldt Avs N;

Vac 1237 Humboldt Av N between 29th and 30th Avs N;

now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petition No 264149 and to approve the vacations subject to retention of an easement by the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolutions vacating said streets and alleys.

Your Committee further recommends summary publication of the accompanying resolutions.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 18, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published September 22, 1998)

Resolution 98R-366, vacating Irving Avenue North between 29th and 30th Avenues North (Vac 1235) and granting an easement to the City of Minneapolis, was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-366
By McDonald

Vacating Irving Avenue North between 29th and 30th Avenues North (Vac 1235).

Resolved by The City Council of The City of Minneapolis:

That all that part of Irving Avenue North between 29th Avenue North and 30th Avenue North, being that part of said Irving Avenue lying northerly of a line drawn from the southeast corner of Lot 15, Block 2, Burnett Park Addition to Minneapolis, to the southwest corner of Lot 16, Block 1 of said Addition, and lying southerly of a line drawn from the northeast corner of Lot 1, Block 2 of said Addition to the northwest corner of Lot 30, Block 1 of said Addition; according to the plat thereof of record in Hennepin County, Minnesota is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis: A 30 foot wide water main easement, over, under, and through the west 5 feet of the east one half also the east 25 feet of the west one half of Irving Avenue North, lying between the north line of 29th Avenue North and the south line of 30th Avenue North.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the City of Minneapolis, and no other person or

corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-367, vacating the North/South alley between Irving and Humboldt Avenues and 29th and 30th Avenues North (Vac 1236), was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-367
By McDonald

Vacating the North/South alley between Irving and Humboldt Avenues and 29th and 30th Avenues North (Vac 1236).

Resolved by The City Council of The City of Minneapolis:

That all that part of the North-South alley in Block 1, Burnett Park Addition to Minneapolis, being that part of said alley lying northerly of a line drawn from the southeast corner of Lot 16 of said Block 1 to the southwest corner of Lot 15 of said Block 1, and lying southerly of a line drawn from the northeast corner of Lot 30 of

said Block 1 to the northwest corner of Lot 1, of said Block 1; according to the plat thereof of record in Hennepin County, Minnesota is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-368, vacating Humboldt Avenue North between 29th and 30th Avenues North (Vac 1237), was passed by the City Council and approved by the Acting Mayor on September 18, 1998. A complete copy of this resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-368

By McDonald

**Vacating Humboldt Avenue North
between 29th and 30th Avenues North
(Vac 1237).**

Resolved by The City Council of The City of Minneapolis:

That all that part of Humboldt Avenue North between 29th Avenue North and 30th Avenue North, being that part of said Humboldt Avenue lying northerly of a line drawn from the southeast corner of Lot 15, Block 1, Burnett Park Addition to Minneapolis, to the southwest corner of Lot 14, Block 13, Silver Lake Addition to Minneapolis, and lying southerly of a line drawn from the northeast corner of Lot 1, Block 1 of said Burnett Park Addition to the northwest corner of Lot 26, Block 13 of said Silver Lake Addition; according to the plats thereof of record in Hennepin County, Minnesota is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 18, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends that the Parade Stadium Construction Project for

additional locker rooms which was inadvertently omitted from Resolution 98R-188 clarifying City Council Ordinance 98-Or-032 pertaining to public schools and parks be permitted to go forward without a conditional use permit.

Adopted. Yeas, 13; Nays none.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Motions

Campbell, Chair of the Ways & Means/ Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of October 1998 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Scott Hoelscher for a residential block event to be held Saturday, September 12, 1998, between the hours of 4 and 10 p.m. on Pleasant Avenue South between West 56th and 57th Streets, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Biernat offered an Ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous: Noise*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee for a public hearing to be held September 23, 1998 (To clarify various kinds of evening noise activity, adjust maximum noise levels, and add prohibited acts).

Campbell moved to introduce the subject matter of an Ordinance amending Title 17, Chapter 450 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Stadium Village Special Service District*, which was given its first reading and referred to the Transportation & Public Works Committee for a public hearing to be held October 8, 1998, at 10:15 a.m. (Changing the years from 1997 & 1998 to 1998 & 1999 to reflect the beginning of the implementation of services in the district in 1998). Seconded.

Adopted upon a voice vote.

Niland moved to waive the 60-day filing time as required by Chapter 447 of the Minneapolis Code of Ordinances for applicant Tony Villagran, CreArte, Chicago Latino Arts, for a parade to be held Saturday, October 31, 1998, between 3:00 p.m. and 8:00 p.m. beginning at the American Indian Center, subject to approval being granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to introduce the subject matter of an Ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to *Interim Ordinances*, which was given its first reading and referred to the Zoning & Planning Committee (Initiating an interim ordinance prohibiting establishment or expansion of any use or development in the M1, M2 or M3 Manufacturing Districts located within 300' of the Mississippi River between Plymouth Av and 37th Av NE on the east side of the river, and between Plymouth Av and 53rd Av N on the west side of the river).

Adopted upon a voice vote.

RESOLUTION

Campbell, Ostrow, Biernat, Johnson, Cherryhomes, Niland, Goodman, Herron, Thurber, Mead, Colvin Roy and Minn offered the following Resolution:

RESOLUTION 98R-369

In recognition of the Centennial Anniversary of Sidney Pratt School.

Whereas, Sidney Pratt Community School has served the citizens of Minneapolis for 100 years; and

Whereas, the Prospect Park Neighborhood is celebrating this occasion with a community event; and

Whereas, renovation of the Pratt building has been the top priority of the neighborhood's NRP efforts and has been carried out with care and respect for this wonderful landmark; and

Whereas, the building renovation and the development of the surrounding village green has provided the community with an inviting gathering place;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City recognizes this important centennial, and wishes Sidney Pratt School, it's staff, and it's neighbors a very Happy Birthday!

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Unfinished Business

Raze building: 3044 10th Av South.
(Postponed 3/27/98, PS&RS)

Herron moved to delete from the agenda.
Seconded.

Adopted upon a voice vote.

Motion by Cherryhomes that a new standing committee of the City Council be created entitled "Health and Human Services" to be chaired by Council Member Herron with meeting dates, times, and membership to be considered at the next regular City Council meeting. (Postponed 6/26/98)

Herron moved to continue postponement.
Seconded.

Adopted upon a voice vote.

PS&RS – Your Committee, having under consideration the property located at 2512 Pierce St NE which has been determined by

the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having exercised all provisions of said ordinance and the compliance date having expired, now recommends that the proper City Officers be authorized to raze said property legally known as Lot 5, Block 2, Penney & Barber's Subdivision of Lot 9 in Gale & Hamlin's Out lots to East Minneapolis (PID #12-029-24-24-0170), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes, Ostrow, Campbell, Biernat, Johnson, Niland, Goodman, Herron, Thurber, McDonald, Mead, Colvin Roy and Minn offered the following Resolution:

RESOLUTION 98R-370

Honoring Rebecca Yanisch for her sound leadership and service to the City of Minneapolis.

Whereas, Rebecca Yanisch has served the City of Minneapolis as the Executive Director of the Minneapolis Community Development Agency (MCDA) for four years – the fourth longest tenure of any MCDA Executive Director in its 50-year history; and

Whereas, Ms. Yanisch has served the City of Minneapolis three times in her successful career as a finance clerk from 1978-79, Finance Director from 1992 to April 1994, and Mayor Sharon Sayles Belton appointed Ms. Yanisch as Executive Director in November 1994; and

Whereas, Ms. Yanisch, in her tenure as Executive Director, has helped to make Minneapolis one of the greatest cities in the nation. She is recognized by her colleagues for her sound leadership, savvy negotiation skills, sincere commitment, and ability to garner

private support and partnership for many of the city's redevelopment projects; and

Whereas, Ms. Yanisch's leadership is evidenced in every neighborhood throughout Minneapolis, in our downtown, and on the riverfront; and

Whereas, Ms. Yanisch has made significant contributions to the City of Minneapolis, including resurgence in Riverfront development, including development of a Master Plan to guide the next generation of redevelopment, nearly 1,000 Riverfront housing units, and construction of RiverStation – the largest homeownership development in Minneapolis history; and

Whereas, Ms. Yanisch has made a significant mark on preserving the city's past through her historic preservation efforts, including redevelopment of: the historic NorthStar Woolen Mill; the former Tension Envelope building; the Hinkle-Murphy, Van Duesen and Bull mansions; the Lyon House; homes on the Healy Block; the Marquette Block; and the Milwaukee Depot Freight House; as well as significant progress in preserving the Milwaukee Road Depot and Shubert Theater; and

Whereas, Ms. Yanisch's vital role in revitalizing our neighborhoods is unparalleled. Her commitment to providing a variety of housing choices for our citizens is evidenced by her leadership to create: more than 4,000 affordable housing units, 200 new homes, rehab of hundreds of vacant and boarded properties; and Minneapolis homeowners and homebuyers received nearly \$189 million in mortgage and home improvement loans. Ms. Yanisch helped create affordable housing that includes social services such as the Integrated Youth Housing Project and Anishinabe Wakiagun; and

Whereas, Ms. Yanisch's commitment to provide more jobs to Minneapolis is demonstrated through the aggressive cleanup of polluted industrial property. She has tripled the number of acres cleaned for redevelopment; and

Whereas, Ms. Yanisch has led the MCDA to expand and develop business financing programs. In the past 4 years, more than 500 small businesses have expanded with MCDA assistance; and

Whereas, Ms. Yanisch has helped to strengthen and create Minneapolis commercial

corridors. Major developments have included The Quarry – Minneapolis' largest commercial center outside of downtown; Hawthorn Crossings in north Minneapolis; and significant progress in revitalizing Fourth Avenue South and Lake Street; and

Whereas, Ms. Yanisch has made significant and vital contributions to our prosperous downtown which is experiencing unprecedented economic growth and development activity. She has helped key businesses remain and expand in our downtown with the construction of new office towers, hotel development, retail expansion; and a thriving theater district; and

Whereas, Ms. Yanisch is known and respected throughout the entire metropolitan region for her tenacity to see projects reach fruition as evidenced by each and everyone of her accomplishments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we commend Ms. Yanisch for her dedicated and exemplary service to the City of Minneapolis and thank Rebecca for her willingness to endure redevelopment challenges to reach successful completion of many projects that contribute to the vitality of the City.

Be it Further Resolved that we recognize Rebecca as an invaluable asset to the City of Minneapolis. We wish her and her family well in her future endeavors.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved passage of the accompanying resolution amending Resolution 98R-281 entitled "Adopting an Affordable Housing Policy for the City of Minneapolis", passed by the Council July 31, 1998, to increase the membership on the Affordable Housing Task Force. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-371
By Campbell and Niland

Amending Resolution 98R-281 passed July 31, 1998, entitled "Adopting an Affordable Housing Policy for the City of Minneapolis."

Be It Resolved by The City Council of The City of Minneapolis:

That Paragraph 7G of the above-entitled resolution be amended to read as follows:

"7. That the City establishes a "Minneapolis Affordable Housing Task Force" to undertake the following activities:

G. Develop recommendations for procedures for preserving affordable rental and single family homes serving families at or below 30 percent of the metropolitan median income. The Task Force should consider the following: early intervention and early warning of housing stress to minimize demolition;

The City Council and Mayor shall appoint the members of the Task Force. The open appointments system shall be used for membership. The Task Force shall be comprised of no more than 23 members. The Mayor shall appoint the Chair and seven members. The Council shall appoint 15 members with representation from all caucuses;

Membership must be balanced between representatives from the following disciplines: banking/finance; housing advocacy; property developers for profit and not for profit; Minneapolis residents of affordable and market rate housing; and common, regional organizations, such as, but not limited to, AMM, North Metro Mayors, Minneapolis Board of Realtors, Minneapolis School Board, Met Council, etc."

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed September 18, 1998.

J. Cherryhomes, President of Council.

Approved September 22, 1998.

J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Niland moved to add Elizabeth Hinz as the School Board representative and Dick Little as the representative from the Planning Commission to the Affordable Housing Task Force. Seconded.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed September 18, 1998.
Approved September 22, 1998.
J. Cherryhomes, Acting Mayor.
Attest: M. Keefe, City Clerk.

Biernat assumed the Chair.

CONSIDERATION OF MAYOR'S VETO

Mayor Sayles Belton returning with her veto a report of the Community Development and Ways & Means/Budget Committees passed by the Council August 28, 1998, relating to the Milwaukee Depot property, and stating her objections thereto.

The question before the Council being "Shall the report pass notwithstanding the objections of the Mayor? there were:

Yeas, 5; Nays, 7 as follows:

Yeas – Niland, Colvin Roy, Mead, Cherryhomes, Biernat.

Nays – Campbell, Goodman, Herron, Minn, Johnson, Thurber, Ostrow.

The vote on the question being less than the two-thirds majority required by the Charter to pass the report over the objections of the Mayor, said veto was sustained.

NEW BUSINESS

Campbell, having under consideration the Milwaukee Depot Development site, moved approval of the staff recommendations to conceptually approve: 1) A skyway encroachment from the Depot concourse across Washington Avenue, subject to review and approval in the future of the design and encroachment permit, and 2) The project finance plan as described in Petn No 264150.1 on file in the office of the City Clerk.

Campbell further moved approval of the following procedures per the agreement with the proposed developer, CSM Lodging, L.L.C.:

"Neutrality and Election Procedures.

CSM will not take any action or make any statement to its employees that will directly show a preference for or opposition to the employees' selection of a collective bargaining agent or any particular union as a bargaining agent. However, CSM shall be entitled to communicate (orally, in writing, or by any other medium) truthful information to its employees,

and to correct misstatements and/or distortions of facts. The union shall set the election date in accordance with National Labor Relations Board (NLRB) procedure and CSM agrees not to seek an extension of the election date. The election will be held in accordance with NLRB procedures and shall be held at a neutral off-site location. In the event a dispute arises between the parties relative to this paragraph, the sole and exclusive remedy available to the parties shall be injunctive relief. The enforcement of this provision shall be subject to binding arbitration by a mutually agreed upon arbitrator." Seconded.

Niland moved to amend Campbell's motion by adding the following language:

"The employer agrees to provide a union engaged in a organizing campaign with a complete and accurate list of the names and addresses of the employees of the hotel." Seconded.

Lost. Yeas, 3; Nays, 8 as follows:

Yeas – Niland, Mead, Biernat.

Nays – Campbell, Goodman, Colvin Roy, Herron, Minn, Johnson, Thurber, Ostrow.

Absent – McDonald, Cherryhomes.

Niland moved to amend Campbell's motion by adding the following language:

"The employer will agree to the following conditions and limitations relative to communications with hotel employees:

Neutrality

1. CSM agrees to provide two bulletin boards – one for management and one for the union to post all notices.

2. Statement of Employee Rights.

All written communications and all formal presentations will include an express statement of employee rights as follows: "CSM respects and will honor the legal right of employees to support a labor union or not, as they choose. CSM promises its employees that it will never retaliate against any employee because of that employee's opinion or lawful activity with regard to unionization.

3. Prohibited Communications.

CSM will agree not to:

- Make promises of individuals rewards to employees in exchange for a vote against the unions;

- Make threats to discharge, discriminate or retaliate against an employee based upon the employee's support for or vote in favor of the union;

- Directly question an employee as to how the employee intends to vote in a union election." Seconded.

Minn moved to substitute Niland's second motion and combine it with the remainder of Niland's motions. Seconded.

Adopted upon a voice vote.

Niland moved to divide his motions so as to consider each motion separately. Seconded.

Adopted upon unanimous consent.

On Niland's above motion relating to conditions and limitations relative to communications with hotel employees, it lost.

Yeas, 3; Nays, 9 as follows:

Yeas – Niland, Mead, Biernat.

Nays – Campbell, Goodman, Colvin Roy, Herron, Minn, Johnson, Thurber, Ostrow, Cherryhomes.

Absent – McDonald.

Niland moved to amend Campbell's motion by adding the following language:

"The employer agrees to rent available space within the hotel to the union on terms and conditions offered to the general public and to allow employees to have access to such space during the employee's non-working hours." Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas – Niland, Mead, Cherryhomes, Biernat.

Nays – Campbell, Goodman, Colvin Roy, Herron, Minn, Johnson, Thurber, Ostrow.

Absent – McDonald.

Niland moved to amend Campbell's motion by adding the following language:

"The employer agrees, for purposes of an election, the following bargaining unit would be appropriate:

Employees of the hotel employed in the following areas: food, steward, beverage, service, housekeeping, and hotel maintenance, and including the classifications of waiter, waitress, busperson, cook, bartender, room service, housekeeper, valet parking, limousine services, doormen, banquet set-up, engineers, laundry, or such other classifications as may fall within the foregoing departments, but excluding all audit, front desk and clerical employees, supervisors, sales employees, managerial employees, guards and professional employees." Seconded.

Lost. Yeas, 3; Nays, 9 as follows:

Yeas – Niland, Mead, Biernat.

Nays – Campbell, Goodman, Colvin Roy, Herron, Minn, Johnson, Thurber, Ostrow, Cherryhomes.

Absent – McDonald.

Niland moved to amend Campbell's motion by adding the following language:

"The employer agrees to provide a union engaged in an organizing campaign timely and reasonable access to the hotel for the purpose of providing employees with information about the labor organization." Seconded.

Lost. Yeas, 6; Nays, 6 as follows:

Yeas – Niland, Colvin Roy, Herron, Mead, Cherryhomes, Biernat.

Nays – Campbell, Goodman, Minn, Johnson, Thurber, Ostrow.

Absent – McDonald.

Niland moved to amend Campbell's motion by adding the following language:

"The employer agrees to a secret ballot mail-in union recognition election conducted by the Bureau of Mediation Services." Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas – Niland, Colvin Roy, Mead, Biernat.

Nays – Campbell, Goodman, Herron, Minn, Johnson, Thurber, Ostrow, Cherryhomes.

Absent – McDonald.

On Campbell's motion, it was adopted.

Yeas, 10; Nays, 2 as follows:

Yeas – Campbell, Biernat, Goodman, Colvin Roy, Herron, Minn, Johnson, Thurber, Ostrow, Cherryhomes.

Nays – Niland, Mead.

Absent – McDonald.

Passed September 18, 1998.

Approved September 22, 1998. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - McDonald.

Adjourned.

Merry Keefe,
City Clerk.
98-8363